

FILE DESCRIPTION

BUREAU FILE

SUBJECT Hearnap

FILE NO. 7-15200

SECTION NO. 133

SERIALS 7598

to

7610

F.B.I.

Date: 2/20/76

Transmit the following in _____

(Type in plaintext or code)

Via

AIRTEL

AIR MAIL

(Priority)

TO: DIRECTOR, FBI (7-15200) ATTN: GID, INTD. & LEGAL COUNSEL
 FROM: ADIC, LOS ANGELES (7-1627)
 SUBJECT: HEARNAP
 OO: SF

Re: LOS ANGELES TRIAL OF
 WILLIAM AND EMILY HARRIS

Enclosed for each receiving Office is one copy of a Notice of Motion which is self-explanatory, relating to captioned trial.

For information Bureau and all receiving Offices, SAMUEL MAYERSON, Assistant Director of Central Operations, Los Angeles County District Attorney's Office, has argued this motion before Los Angeles County Superior Court Judge MARK BRANDLER. Judge BRANDLER is considering the arguments of both the prosecution and defense, but as yet has not reached a decision. If he decides to hear testimony regarding this motion, numerous Agents throughout the country may be subpoenaed.

AUSA WILLIAM J. RATHJE, Los Angeles, is aware of the motion and will be in contact with the Department.

Bureau and all receiving Offices will be kept advised of Judge BRANDLER's decision.

- 3- Bureau (Encl.-1) ENCLOSURE
 2- Alexandria (7-120) (Encl.-1)
 2- Chicago (7-2004) (Encl.-1)
 2- Cleveland (7-1094) (Encl.-1)
 2- Denver (7-820) (Encl.-1)
 2- Indianapolis (7-1360) (Encl.-1)
 2- Las Vegas (7-313) (Encl.-1)
 2- Newark (7-1105) (Encl.-1)
 2- New York City (7-1976) (Encl.-1)
 2- Philadelphia (7-1299) (Encl.-1)
 2- Phoenix (7-564) (Encl.-1)
 2- Portland (7-483) (Encl.-1)
- 87-103 REC-48
 San Diego (7-496) (Encl.-1)
 San Francisco (7-855) (Encl.-1)
 Los Angeles
 JCA:fet
 (31)
 100-7326-7-15200-7598
 3/1/76
 FEB 23 1976

Approved: *[Signature]*

84 MAR 5 1976 Special Agent in Charge

Sent

M

Per *[Signature]*

FBI

Date: 2/20/76

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CARBON COPY

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

1 LEONARD I. WEINGLASS
2 Attorney at Law
3 2025 Avon Street
4 Los Angeles, California 90026
5 Telephone: (213) 748-6100

6 Attorney for Defendant,
7 EMILY MONTAGUE HARRIS

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF LOS ANGELES

10
11 THE PEOPLE OF THE STATE OF CALIFORNIA,

12 Plaintiff,

13 -vs-

14 PATRICIA CAMPBELL HEARST,
15 EMILY MONTAGUE HARRIS, and
16 WILLIAM TAYLOR HARRIS,

17 Defendants.

No. A-221099

) NOTICE OF MOTION AND
) MOTION FOR DISMISSAL,
) DISCOVERY AND AN EVI-
) DENTIARY HEARING ON
) GROUNDS OF GOVERNMENTAL
) MISCONDUCT; POINTS AND
) AUTHORITIES IN SUPPORT
) OF MOTION; AFFIDAVITS;
) EXHIBITS; DECLARATIONS.

18
19 TO: THE PEOPLE OF THE STATE OF CALIFORNIA, AND TO JOHN
20 VAN DE KAMP, DISTRICT ATTORNEY OF LOS ANGELES COUNTY, JAMES M.
21 BROWNING, JR., UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF
22 CALIFORNIA, AND CLARENCE KELLEY, THE DIRECTOR OF THE FEDERAL
23 BUREAU OF INVESTIGATION:

24 PLEASE TAKE NOTICE that EMILY MONTAGUE HARRIS, defendant
25 in the above-entitled case, by and through her attorney, LEONARD
26 I. WEINGLASS, will move the above-entitled Court in Department 134
27 on the 17th day of February, 1976, at 9:00 a.m. or as soon
28 thereafter as counsel can be heard,

29 A. For an Order dismissing the indictment because of gross
30 misconduct by the Federal Bureau of Investigation and various state
31 and local police agencies which assisted the F.B.I. in its search
32 for Emily Montague Harris and her co-defendants;

ENCLOSURE

7-15200-7598

1 B. For an evidentiary hearing to determine governmental
2 responsibility for certain acts of misconduct and for dismissal if
3 the government is found to have been responsible for said miscon-
4 duct;

5
6 C. For a discovery order requiring full and complete dis-
7 closure of illegal governmental actions perpetrated during the in-
8 vestigation of, search for, and prosecution of Emily Montague Har-
9 ris and her co-defendants. Such actions would include warrantless
10 entries, burglaries, wiretaps, thefts of papers or other effects,
11 mail surveillance, and other unlawful activities conducted against
12 the defendants or anyone else in the course of the government's
13 investigation and preparation of the instant case.

14
15 The events surrounding the search for Emily Harris and
16 her co-defendants William Harris and Patricia Hearst present a
17 textbook case of governmental misconduct. The F.B.I.'s initial
18 failure to apprehend the fugitives caused extreme embarrassment
19 to the government. The government's response was to intensify the
20 search through the wholesale adoption of blatantly illegal tactics
21 resulting in a manhunt which can only be characterized as a tra-
22 vesty on justice. Every force at the government's disposal was
23 brought to bear against the defendants without the slightest re-
24 gard for constitutional limits on the exercise of police power.
25 Almost every rule intended to protect the sanctity of homes, per-
26 sonal effects and private communications has been flagrantly and
27 arrogantly violated by state, federal and local government in the
28 course of the hunt for Emily Harris and her co-defendants. The
29 government acts were not confined to mere acts of harassment or
30 to a few isolated instances involving illegal searches. The facts
31 show a continuous, deliberate and systematic pattern of illegal
32 government activities which were directed against the defendants

1 and against those suspected of possessing information as to their
2 whereabouts. The acts of misconduct ranged from simple harassment
3 to:

- 4 a) illegal wiretapping;
- 5 b) illegal mail tampering;
- 6 c) unauthorized entry into private homes;
- 7 d) rifling of airline luggage;
- 8 e) purposeful dissemination of false information to the
9 news media;
- 10 f) death threats by government agents;
- 11 g) abandonment of traditional methods of arrest.

12
13 Each of the preceding allegations is supported by af-
14 fidavits or sworn statements which are appended to the instant
15 motion. Additional instances of misconduct are also alleged. In
16 cases where affidavits or other supportive evidence is not readily
17 obtainable, the defendant moves for an evidentiary hearing and/or
18 a discovery order for the purposes of determining the validity of
19 the additional allegations.

20
21 The many months of illegal government activity which
22 preceded the defendant's capture was not without its victims. Six
23 alleged members of the Symbionese Liberation Army were killed in a
24 police action of unprecedented violence and intensity. Callous
25 disregard for the lives of the innocent was demonstrated by the
26 initiation of police gunfire only eight minutes after the first
27 warning was given. The subsequent police attack was ordered with
28 full knowledge that a female occupant of the house, Christine
29 Johnson, was trapped inside along with the suspected fugitives.
30 While this action might conceivably be justified in retrospect,
31 what can be said to justify the F.B.I.'s violent entry into the
32 Alexandria, Virginia apartment of Elizabeth Norton on March 15,

How about
harboring
C

1 1975? A young woman with absolutely no connection to the defen-
2 dants was terrorized by shotgun-toting F.B.I. agents who broke
3 down her door in their quest for the defendants in the instant
4 case. Elizabeth Norton suffered severe mental distress as a re-
5 sult and remains under medical treatment. How can the repeated
6 questioning of 67-year-old Louise Scott be justified? Mrs. Scott
7 suffers from extreme hypertension and made this fact known to the
8 F.B.I. In spite of this knowledge and despite her pleas to be
9 left alone, the F.B.I. returned approximately nineteen times to
10 question her about the defendants under circumstances which were
11 highly dangerous to her health. Two incidents in Los Angeles
12 highlight equally outrageous government conduct. At 5:00 a.m.
13 on May 24, 1974, Joan Schoenberger and Gerri Jones were tele-
14 phoned by the Los Angeles police and told to exit their house with
15 their hands up. They dressed quickly and walked out to face over
16 50 policemen armed with shotguns and tear gas rifles. This pre-
17 dawn raid was apparently triggered by an anonymous tip that Patri-
18 cia Hearst and Emily Harris were living inside. Two months later,
19 on July 24, Eduardo Cuenca and his wife were routed from their
20 Los Angeles home to face nearly a hundred policemen. They were
21 questioned for one hour by Los Angeles Police Department and F.B.I.
22 agents while their apartment was searched. This spectacle was
23 based on a tip that Patricia Hearst was visiting inside the build-
24 ing. The list of known instances of misconduct is lengthy and
25 impressive, but it is not complete.

26
27 From the accounts of the Norton and Cuenca raids, it
28 appears that casual sighting reports resulted in immediate and of-
29 ten illegal government response. The defendant is cognizant of
30 the fact that approximately 750 reported "sightings" occurred in
31 the Los Angeles area alone. The strong possibility of further and
32 as yet unknown acts of governmental misconduct is raised by these

1 instances of reported sightings. The defendant moves for a hearing
2 and/or discovery order for the purposes of determining whether ad-
3 ditional acts of misconduct occurred in connection with any one
4 of these 750 reported "sightings," or in connection with any other
5 tip, information or report related to the defendants in the instant
6 case.

7
8 We call the attention of the Court to some of the high-
9 lights of government actions which form the basis for this motion:
10

11 1. ELIZABETH NORTON.

12 Elizabeth Norton was apparently suspected of harboring
13 Patricia Hearst. Her apartment was entered by force at night by
14 F.B.I. agents who refused her requests to shove identification un-
15 der her door. Ms. Norton was never shown a search warrant or i-
16 dentification. These agents, wearing plain clothes and carrying
17 shotguns, caused severe mental distress to Ms. Norton, resulting
18 in a brief period of hospitalization and continuing medical treat-
19 ment. This information is presented to the Court on information
20 and belief of the defendant's attorney. A copy of a civil com-
21 plaint filed by Ms. Norton is attached as an exhibit. A hearing is
22 requested at which a representative of the F.B.I. can be questioned
23 as to the details of this incident.
24

25 2. MICKI SCOTT.

26 Micki Scott was apparently suspected of harboring the
27 Harrises and Patricia Hearst. She was subjected to repeated F.B.I.
28 harassment, had her airline luggage rifled, and has information
29 which strongly suggests that her phone calls were monitored by the
30 F.B.I. On July 30, 1975, Micki Scott telephoned a record store to
31 inquire about obtaining tickets for an upcoming musical performance.
32 During this phone conversation she told the clerk that she would

1 arrive in fifteen minutes to purchase the tickets. Upon their ar-
2 rival at the store, Jack and Micki Scott were met by F.B.I. agents
3 who served them with subpoenas. This information is presented in
4 the form of a sworn affidavit.

5
6 3. JACK SCOTT.

7 Jack Scott was also suspected of harboring the defendants
8 in the instant case. He was subjected to continuous F.B.I. har-
9 assment which included telephone taps. In one instance he was ap-
10 proached by an agent who displayed a previously concealed pistol
11 in a manner which Mr. Scott interpreted as constituting a threat.
12 Mr. Scott's allegations with respect to phone taps are supported
13 by impressive evidence showing the F.B.I. to have acted on the
14 basis of information which could have been known only through moni-
15 toring his phone calls. This information is presented in state-
16 ment form.

17
18 4. CASS JACKSON.

19 Mr. Jackson was a football coach at Oberlin College in
20 Ohio, where Jack Scott was employed as an athletic director from
21 1972 to 1974. On March 10, 1975, he was approached by F.B.I.
22 agents who questioned him for three hours. They implied that if
23 he ever let Jack Scott into his home he might be killed. He was
24 also threatened with prosecution as an "accomplice in the Hearst
25 case" if he showed any further friendship toward Jack Scott
26 or his wife Micki. This information is contained in a sworn affi-
27 davit.

28
29 5. LINDA HUEY.

30 Ms. Huey was visited at home and questioned at length
31 concerning the Scotts, the Harrises, and Patricia Hearst. A
32 strong presumption of illegal tapping of Ms. Huey's telephone is

1 raised by the fact that each time she telephoned a friend, an F.B.I.
2 visit to that friend would follow shortly thereafter. This infor-
3 mation is presented in the form of a sworn affidavit.

4
5 6. WALTER SCOTT.

6 Walter Scott is the brother of Jack Scott and states
7 that he has, on occasion, been a paid F.B.I. informer. He told
8 his brother Jack that he [Walter] was offered \$25,000 to \$50,000
9 by the F.B.I. to entrap Jack and Mick Scott and/or their friend
10 Bill Walton on drug charges. Walter Scott also told his brother
11 Jack that the F.B.I. offered him a substantial payment if he
12 would entrap attorney William Kunstler in a similar manner. Wal-
13 ter Scott said that the F.B.I. offered him a new identity and a
14 substantial amount of money if he would publicly denounce his
15 father's remarks about F.B.I. pressure and harassment. This in-
16 formation is contained in an affidavit signed by Jack Scott.

17
18 7. JOHN SCOTT.

19 John Scott is the father of Jack and Walter Scott, and
20 the husband of Louise Scott. He was questioned at length by the
21 F.B.I. about his son Jack, the Harrises, and Patricia Hearst.
22 John Scott was offered full immunity and \$100,000 to \$200,000 for
23 "cooperation." On February 25, 1975, John Scott received a visit
24 at home from F.B.I. agents McKinley and Sullivan of the Las Vegas
25 office. These agents escorted John Scott to their car and then
26 radioed other agents who drove up and entered Mr. Scott's apart-
27 ment without permission. In addition to having his house unlaw-
28 fully entered, Mr. Scott was threatened with 10 years imprisonment
29 if he refused to answer F.B.I. questions. When Scott managed to
30 get back into his home he found his seriously ill wife "cornered"
31 by two F.B.I. agents. Scott told agents to leave and that he had
32 nothing to say to them. F.B.I. agents visited approximately 17

1 more times. John Scott details information which strongly suggests
2 that his phone calls were monitored by the F.B.I. This information
3 is in the form of a sworn affidavit.

4
5 8. LOUISE SCOTT.

6 Louise Scott is the wife of John Scott. She suffers
7 from extreme hypertension -- a fact made known to the F.B.I., who
8 acknowledged the information. While her husband John was away in
9 San Francisco responding to a grand jury subpoena, she was assured
10 by the F.B.I. that she would not be bothered. Instead F.B.I.
11 agents subjected her to constant harassment and intimidation
12 which included an illegal search of her living quarters. She or-
13 dered the agents not to return without a warrant. This request
14 was ignored by the F.B.I. who continued to question her during
15 later visits. This information is presented in the form of a
16 sworn affidavit.

17
18 9. PHILIP SHINNICK.

19 Mr. Shinnick was visited by F.B.I. agents who alleged
20 that Jack and Micki Scott were involved in harboring Patricia
21 Hearst and the Harrises. Shinnick refused to answer questions
22 and was threatened with a grand jury subpoena if he continued to
23 refuse. Mr. Shinnick has information that the F.B.I. disseminated
24 false information alleging that his [Shinnick's] fingerprints
25 were found at a Pennsylvania farmhouse where the Harrises and
26 Patricia Hearst were believed to have stayed. F.B.I. agents
27 made repeated visits to the campus where Shinnick was employed.
28 Shortly thereafter Shinnick's job was terminated with gross irreg-
29 ularities in procedure. Shinnick has information which indicates
30 that his mail was tampered with. This information is presented
31 in the form of a sworn affidavit.

32 // // // //

// // // //

1 10. BILL WALTON.

2 Mr. Walton is a professional athlete and a personal
3 friend of Jack and Micki Scott. Bill Walton was repeatedly ques-
4 tioned by the F.B.I. concerning the whereabouts of the Harrises and
5 Patricia Hearst. Evidence is presented in Mr. Walton's affidavit
6 which suggests in the strongest terms that the F.B.I. illegally
7 monitored his telephone conversations. In numerous instances Mr.
8 Walton would call a friend and learn later than an F.B.I. visit
9 to the recipient of the call was made within twenty-four hours.
10 This and other information is presented in the form of a sworn
11 affidavit.

12
13 11. HILDA WEINER.

14 Mrs. Weiner is the mother of Jay Weiner, a man who the
15 F.B.I. apparently suspected of harboring or aiding the defendants
16 in the instant case. On March 3, 1975, Mrs. Weiner was visited
17 by two F.B.I. agents who told her that her son was deeply involved
18 in "harboring, transporting or financing" Patricia Hearst, the
19 Harrises, and possibly Wendy Yoshimura. Mrs. Weiner was also
20 told falsely by the F.B.I. that Jack Scott was involved in bom-
21 bings in California. She was told that the Scotts were "dangerous
22 and that her son should stay/away from them. This information is pre-
23 sented in the form of a sworn affidavit.

24
25 12. JAY WEINER.

26 Jay Weiner is a sports journalist and a friend of Jack
27 and Micki Scott. Mr. Weiner was questioned repeatedly by F.B.I.
28 agents who told him, among other things, that Jack Scott was
29 "involved in bombings" and that it would be to his [Weiner's] "ad-
30 vantage" to end his personal association with the Scotts and
31 Philip Shinnick. Agents also told him that Jack Scott's parents
32 were involved in harboring the Harrises and Patricia Hearst. On

1 March 11, 1975, Jay Weiner was driving to Philadelphia on route
2 10. En route he was cut off by a car containing F.B.I. agents
3 who served him with a grand jury subpoena. Mr. Weiner was direc-
4 ted to discontinue his journey and to proceed to the Security of-
5 fice of Oberlin College. Inside this office F.B.I. agents threa-
6 tened him with their guns and refused his repeated requests to
7 see an attorney. Mr. Weiner was extremely frightened and finally
8 answered the questions presented to him during this patently il-
9 legal interrogation. This and additional information is presented
10 in the form of a sworn affidavit.

11
12 13. SAMUEL WEINER.

13 Samuel Weiner is Jay Weiner's father. Mr. Weiner was
14 approached by F.B.I. agents on a number of occasions and told that
15 his son was "deeply involved" in "harboring, transporting or fi-
16 nancing" the defendants in the instant case. Mr. Weiner on one
17 occasion refused to answer the agents' questions and asked them
18 to leave. Before leaving, F.B.I. Agent Rack told Mr. Weiner "we
19 have other ways of getting it out of you." This and other infor-
20 mation is presented in a sworn affidavit.

21
22 14. JOAN SCHOENBERGER and GERRI JONES.

23 These two young women were routed from their Los Angeles
24 home at 5:00 a.m. on May 24, 1974, by members of the Los Angeles
25 Police Department who suspected them of being Patricia Hearst and
26 Emily Harris. They exited with their hands up and walked out to
27 face 60 armed police agents. The terror felt by these two women
28 is more easily appreciated when one remembers that only a week
29 earlier a raid on a suspected SLA hideout left six people dead.
30 This information is presented to the Court on the information and
31 belief of the defendant's attorneys. A hearing is requested at
32 which representatives of the appropriate police agencies can be

1 questioned as to the details of this incident.

2
3 15. EDUARDO AND KAREN CUENCA.

4 Mr. and Mrs. Cuenca were the victims of still another
5 ill advised police raid on a suspected SLA hideout. On July 24,
6 1974, their North Hollywood apartment building was surrounded by
7 over a hundred policemen. As Mr. and Mrs. Cuenca exited, they
8 were grabbed by plainclothes police and F.B.I. agents who ques-
9 tioned them for an hour. A tactical squad entered and searched
10 their apartment while they were being held by the agents. This
11 information is presented to the Court on the information and
12 belief of the defendant's attorney. A hearing is requested at
13 which representatives of the F.B.I. and other agencies involved
14 in this action can be questioned as to more precise details.

15
16 16. WILLIAM HARRIS.

17 On September 18, 1975, while being transported to an
18 airplane boarding area at the San Francisco International Airport,
19 William Harris's life was threatened by Sergeant Ray Callahan of
20 the Los Angeles Police Department. This information is presented
21 in the form of a sworn declaration.

22
23 17. EMILY HARRIS.

24 During the period prior to her capture, Emily Harris
25 had occasion to write a letter to her parents containing informa-
26 tion of a highly personal nature. Ms. Harris's parents gave the
27 letter to the F.B.I. with the reasonable assumption that it would
28 be handled in a confidential manner. Instead, the F.B.I. "leaked"
29 the contents of this letter to the news media in an attempt to fos-
30 ter public prejudice against Ms. Harris. The F.B.I. has succeeded
31 in this attempt. Additional information is presented which details
32 instances of mail theft and/or tampering during her imprisonment

1 in Los Angeles. Four letters mailed by Arizona Journalist John
2 Long never were delivered to the Harrises. These letters, properly
3 addressed and with proper postage affixed, were never returned to
4 the sender. On another occasion, a letter placed in the custody
5 of Los Angeles County sheriffs' deputies by Emily Harris was either
6 stolen or confiscated. Jail regulations require that all out-
7 going mail be turned over to jail personnel unsealed. On one par-
8 ticular occasion, on or about December 1, 1975, Emily Harris en-
9 closed a typewritten letter to William Harris's mother in an un-
10 sealed envelope in which Mr. Harris was also sending a letter. The
11 letter written by Ms. Harris was removed and never returned or re-
12 placed. William Harris's mother received only her son's letter.
13 This and other information is presented in the form of a sworn dec-
14 laration.

15
16 18. JOHN LONG.

17 John Long is an editorial writer for the Arizona Daily
18 Star. Mr. Long, several years ago, had traveled in Europe with the
19 Harrises. In mid-May, 1974, he was visited at his Tucson home by
20 F.B.I. agents Echman and Christiansen. During the course of their
21 questioning, F.B.I. agents informed Mr. Long that "their [the
22 Harrises'] comrades had died in L.A.
23 a few days earlier because they wouldn't give up," and "the same
24 ending may be true at [his] house if they came and he didn't coop-
25 erate." Mr. Long's wife was expecting a child in two weeks and
26 was present when the agents made the foregoing remarks. This in-
27 formation is presented in the form of a sworn affidavit.

28
29 19. MARK ROSENDAUM.

30 Mr. Rosenbaum is an attorney for the American Civil
31 Liberties Union and has filed a civil suit on behalf of the Harrises.
32 The complaint in this suit details the malicious "leaking" of

1 highly prejudicial information, leads and false gossip to members of
2 the press and other media by local, state, and federal law enforce-
3 ment agencies. A copy of the civil complaint is attached as an
4 exhibit.

5
6 20. DOUGLAS R. BAILEY.

7 On May 28, 1974, Douglas R. Bailey was arrested in San
8 Francisco and charged with violating Penal Code Sections 4571 and
9 4570.5. Mr. Bailey was handcuffed and taken to the San Francisco
10 Hall of Justice for questioning. Without an attorney present, and
11 despite his repeated requests for an attorney, Mr. Bailey was
12 questioned for nearly an hour concerning the whereabouts of SLA
13 fugitives. During this interrogation he was told that his parole
14 would be violated and that he would be imprisoned as retaliation
15 for his refusal to cooperate. When Mr. Bailey would not respond
16 to his interrogators' questions he was slammed repeatedly against
17 a wall. This beating continued until one of his interrogators
18 signaled the end by holding an empty gun to Mr. Bailey and pulling
19 the trigger. Mr. Bailey was then subjected to highly irregular
20 procedure and flown to a county jail in the Northern California
21 town of Visalia. Here he was placed in a twelve-man tank with
22 prisoners who had been informed ahead of time of police and F.B.I.
23 suspicions concerning Bailey's SLA affiliations. These prisoners
24 threatened mass sexual assault on Bailey. Bailey managed to avoid
25 a violent conflict and was later told by his fellow inmates that
26 guards had informed them prior to his arrival that the SLA was
27 connected to the "Zebra" killings of white people in San Francisco.
28 The next morning Bailey was put on another plane and flown south
29 to San Luis Obispo where the original complaint had been filed.
30 Charges were eventually dropped and Bailey was released from jail
31 on September 13, 1974. His ordeal lasted approximately four
32 months. This information is presented in the form of a sworn

1 affidavit.

2
3 21. THE MAYFIELD FAMILY.

4 The Mayfields' first contact with the F.B.I. occurred
5 on March 7, 1974. The purpose of this initial and all subsequent
6 contacts was to elicit information from the Mayfields concerning
7 the background and possible whereabouts of SLA fugitives. On
8 April 1, 1974, while the Mayfields were out of town, their house
9 was set afire. The Oakland Police Department intelligence unit
10 suggested to them that arson was involved. On April 17, 1974,
11 the Mayfields' insurance agent rented two adjoining suites for
12 them at the Jack London Inn in Oakland. Shortly after their ar-
13 rival at the Inn, the maid service which had been provided by the
14 general crew of Black maids was replaced by two white women who
15 serviced only the Mayfields' rooms and a room directly across the
16 hall. The room across the hall was occupied by two men whom
17 the maids referred to as friends of the manager. Later, in Octo-
18 ber, pursuant to 18 U.S.C. 2518 (8) (d), the Mayfields received
19 an inventory signed by Federal Judge Alfonso Zupoli. This document
20 indicated that "electronic interception of oral communications"
21 had been ordered and that conversations taking place in rooms 436
22 and 438 (their two suites) of the Jack London Inn had been moni-
23 tored during a period from April 20, 1974 to May 14, 1974 (see
24 photocopy of document appended to Mayfield declaration, filed
25 herewith).


26
27 On May 14, 1974, at 7:45 a.m., F.B.I. Agents Patton and
28 Echols appeared at the Mayfields' door. The agents were asked to
29 leave but refused. After it became clear to the agents that the
30 Mayfields would not cooperate, a small suitcase was opened to re-
31 veal bundles of currency. Agent Patton told James Mayfield that
32 the suitcases contained \$100,000 and that more money was available

1 to secure their cooperation. The Mayfields again refused to answer
2 questions. At this point one agent asked James Mayfield how he
3 would feel if something were to happen to his wife and children
4 "tomorrow morning." Outraged at this threat, Mr. Mayfield ordered
5 the agents out and they left.
6

7 A constant pattern of harassment including photo sur-
8 veillance is outlined in the declarations of James, Norma and
9 Kim Mayfield. In one particularly offensive incident, F.B.I.
10 agents attempted unsuccessfully to intimidate the Mayfield chil-
11 dren into allowing them to enter the family home at 1102 San Pablo
12 in Albany, California. This and additional information is presen-
13 ted in the form of sworn declarations.
14

15 This motion will rely on the attached Memorandum of
16 Points and Authorities and the affidavits, declarations and exhi-
17 bits served and filed herewith. Ample factual basis for this
18 motion has been shown and the Court should order accordingly.
19

20 DATED: February 9, 1976.

21 
LEONARD I. WEINGLASS
22 Attorney for Defendant,
EMILY MONTAGUE HARRIS
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MEMORANDUM OF POINTS AND AUTHORITIES

THE DEFENDANT IS ENTITLED
TO A DISMISSAL OF THE
INDICTMENT.

It goes without saying that laws without sanctions are worth little more than the paper upon which they are written. Most laws address the conduct of ordinary citizens. Each day the courts of this state try hundreds of cases in which individual defendants stand accused of violating these laws. It is easy, in light of the foregoing facts, to overlook a body of law directed towards those who are charged with law enforcement. Regulation of police power is a fundamental concept in the American legal system. Our Federal Constitution and a number of its subsequent amendments are addressed specifically towards limiting the exercise of police power. There is no question that these constitutional limitations sometimes hamper the efficiency of law enforcement. A police force given free reign to burglarize, threaten, and eavesdrop would certainly capture more suspected violators than a similar force operating within the boundaries of the Constitution. It is, however, a basic tenet of our legal system that efficiency is at all times subordinate to the protection of individual rights. The responsibility for protecting these rights rests with the judiciary. In 1955, in People v. Cahan, 44 C. 2d 434, the exclusionary rule was chosen as a judicially declared rule of evidence in California. In discussing the necessity for what was, at that time, a rather drastic change in state law, the Cahan Court stated (at 445-447):

"Today one of the foremost public concerns is the police state, and recent history has demonstrated all

1 too clearly how short the step is
2 from lawless although efficient
3 enforcement of the law to the
4 stamping out of human rights . . .
5 [O]ther remedies have completely
6 failed to secure compliance with
7 the constitutional provisions on
8 the part of police officers with
9 the attendant result that the courts
10 under the old rule have been con-
11 stantly required to participate in,
12 and in effect condone, the lawless
13 activities of law enforcement of-
14 ficers."

15
16 Courts which regularly concern themselves with imposing
17 sanctions on individual violators must be equally vigilant when
18 confronted with instances in which the government has violated the
19 law. It is well established that the courts are vested with the
20 power to dismiss an indictment as a sanction for governmental mis-
21 conduct, United States v. Heath, 260 F. 2d 623 (1958); United
22 States v. Nardolillo, 252 F. 2d 755 (C.A. 1 1958); Cf. Kahn v.
23 Secretary of Health, Education and Welfare, 53 F.R.D. 241, 244 (D.
24 Mass. 1971); United States v. Seafarers International Union, 343
25 F. Supp. 779, 784 (E.D.N.Y. 1972).

26
27 While the majority of the reported cases involve mis-
28 conduct during the prosecutorial phase, there are recent cases in
29 which governmental misconduct during the investigatory phase con-
30 tributed heavily to a basis for dismissal. In the Pentagon Papers
31 case (United States v. Russo, No. 9373-CD-WMB C.D. Cal. [1973]),
32 the Court ordered a dismissal based on government misconduct which

1 included the pretrial burglary of a doctor's office by agents of
2 the federal government. The District Court in United States v.
3 Banks, 383 F. Supp. 389 (D.C.S.D. 1974), dismissed the case against
4 the defendants on the basis of governmental misconduct which
5 included the covert and illegal use of military personnel and ma-
6 terial at Wounded Knee. In discussing the military involvement
7 the Banks Court addressed the key question of whether the govern-
8 ment had engaged in a deliberate attempt to "cover up" this illegal
9 activity:

10 "The information detailing the ex-
11 tent of military involvement at
12 Wounded Knee was not immediately
13 available to either the F.B.I. or
14 the prosecutor's office. Never-
15 theless, taking this fact into
16 consideration, it is my feeling
17 that the prosecutor was either
18 deliberately or negligently dila-
19 tory in searching for such infor-
20 mation and providing it to defense
21 counsel." Banks, supra, at 396.

22
23 The clear implication from the Banks opinion is that the prosecu-
24 tion is not excused from an obligation to disclose illegal acti-
25 vities merely because such information is "not immediately avail-
26 able."

27
28 In certain instances the taint of misconduct can be
29 cured by suppression of evidence (Mapp v. Ohio, 367 U.S. 543 (1961)),
30 disclosure of illegal acts (U.S. v. Alderman, 394 U.S. 165 at
31 180-85), or by a proper admonition to the jury. In other instances,
32 where the misconduct is so thoroughly woven into the fabric of the

1 case that the taint cannot be purged by any of the aforementioned
2 means, dismissal is the only remedy. See U.S. v. Heath, supra.
3 Each act of misconduct detailed in the appended affidavits and
4 declarations involves illegal government actions directed towards
5 the defendants in the instant case. The warrantless entries,
6 bribe offers for entrapment, threats, and illegal eavesdropping
7 were all perpetrated in an effort to apprehend the defendants.
8 These acts, committed without the slightest regard for legality
9 and decency, are also shocking to the conscience of civilized men.
10 See Rochin v. California, 342 U.S. 165 (1952).

11
12 Misconduct, in the legal sense, means "reprehensible
13 conduct" which threatens the right to a fair trial. People v.
14 Ditworth, 78 Cal. Rptr. 817 (1969). In cases involving far less
15 egregious misconduct, the Supreme Court has insisted upon prompt
16 and drastic action "to see that the waters of justice are not
17 polluted," for "the reservoir cannot be cleansed without first
18 draining it of all impurity." Mesarosh v. United States, 352 U.S.
19 1, 14. To uphold the indictment in the face of such blatantly
20 illegal conduct on the part of the government would be tantamount
21 to affixing a judicial stamp of approval upon these actions. See
22 Cahan, supra, at 445. Courts have a primary duty to protect the
23 rights of individuals against encroachment by those charged with
24 enforcing the laws.

25
26 The facts in the instant case show a deliberate and
27 continuous disregard for constitutional limitation on the exercise
28 of police power. The District Court in U.S. v. Banks, supra, at
29 396, stated in dismissing the case for governmental misconduct
30 that the government must not be allowed to seek convictions at the
31 expense of justice. Dismissal is warranted in the event that the
32 deliberate misconduct of [the Government] -- is so outrageous as

1 not only to render the trial in progress unfair, but also to make
2 a fair trial in the future impossible." In re United States, 286
3 F. 2d 556, 562 n. 5 (1st Cir., 1961). The acts of misbehavior are
4 amply detailed, their illegality is obvious, and their taint of
5 these proceedings is so thorough that remedies less drastic than
6 dismissal are inadequate. A basis for dismissal has been establish-
7 ed and the Court should order accordingly.

8
9 A WIDE SCOPE OF DISCOVERY MUST BE
10 ALLOWED WHERE THE DEFENDANT HAS
11 MADE A SHOWING OF GOVERNMENTAL MIS-
12 CONDUCT OF A TYPE WHICH COULD TAINT
13 THE PROSECUTION'S CASE AND LEAD TO
14 A DISMISSAL.

15
16 In view of the pervasiveness of the governmental mis-
17 conduct detailed in the appended affidavits and declarations, the
18 defendant must not bear the difficult if not impossible burden of
19 proving that it has tainted the proceeding or the indictment. The
20 government is by far the best situated to produce the relevant evi-
21 dence, see U.S. v. Crowthers, 456 F. 2d 1074 (4th Cir., 1972).
22 The United States Supreme Court has recently reaffirmed that once
23 defendants have raised the inference that governmental misconduct
24 infects a criminal proceeding, the prosecution then bears the bur-
25 den of showing the absence of taint. Kastigar v. U.S., 406 U.S.
26 441, 460 (1971).

27
28 It is beyond question, in California, that criminal de-
29 fendants are entitled to discover all relevant and material evidence
30 which will assist them in the preparation of a legally recognized
31 defense to criminal charges. Fitchess v. Superior Court, 113 Cal.
32 Rptr. 897 (1974); Hill v. Superior Court, 112 Cal. Rptr. 257 (1974).

1 Cash v. Superior Court, 53 Cal. 2d 72, 75 (1959). The defendant
2 has presented material, by way of declarations and affidavits, which
3 meet her burden of demonstrating that the evidence sought to be
4 discovered would be helpful to her defense. Pitchess v. Superior
5 Court, supra. Additional evidence detailing the misconduct involved
6 in the Norton, Schoenberger-Jones and Cuenca raids is in the hands
7 of the F.B.I. and/or the Los Angeles Police Department and is
8 highly relevant to the defense. Additional warrantless raids,
9 wiretaps and other misconduct may have occurred in connection with
10 other reported sightings of the defendants. The broad discovery
11 rules established in Pitchess, supra, and recently reaffirmed in
12 Murguia v. Municipal Court, 117 Cal. Rptr. 888 (1975), require
13 that the defendant be granted the opportunity to discover infor-
14 mation concerning such incidents since this evidence is directly
15 relevant to a legally recognized defense based on governmental
16 misconduct.

17
18 It is not legally sufficient for the prosecution to
19 merely reply that it knows of no additional acts of misconduct.
20 Banks, supra, at 396. The prosecution has been supplied with
21 quantities of information and evidence which were collected by
22 various law enforcement agencies during their investigation of
23 this case. The defendant has made a prima facie showing of mis-
24 conduct and this shifts the burden to the prosecution to establish
25 the lack of taint. Kastigar v. U.S., supra.

26
27 An adversary hearing at which representatives of the
28 various law enforcement agencies could be called to testify as to
29 acts of alleged misconduct is both appropriate and legally neces-
30 sary. It is well established that defendants in a criminal pro-
31 ceeding must have access to any evidence or information obtained
32 as a result of governmental misconduct. An adversary hearing, for

1 the purpose of establishing or disproving taint, is provided for
2 in U.S. v. Alderman, 394 U.S. 188 (1968).
3

4 The defendant's request for a broad discovery order and
5 an evidentiary hearing have ample legal and factual bases. It is
6 requested that the Court rule accordingly.
7

C 8 DATED: February 9, 1976.

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LEONARD I. WEINGLASS
Attorney for Defendant,
EMILY MONTAGUE HARRIS

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James L. Browning, Jr.
United States Attorney
Northern District
Fed. Bldg., 450 Golden Gate Ave.
Box 36055
San Francisco, Calif. 94102

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Barbara Isaacson
Barbara Isaacson

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[illegible][illegible][illegible]

1 care of our suite specifically. I questioned the Black maid about
2 the change and she told me that she had been told that we and the
3 two men who had just moved in across the corridor from us were
4 "special service." The two men, she said, were friends of the
5 manager, and she didn't know why we were "special service." But,
6 she added that the two white women were taking care of us only.
7 Later, I had an opportunity to question one of the white maids and
8 she explained that she had just gotten the job; that she had been
9 called especially for the job because she was known as a good maid
10 and that she had called the other woman (the dumber looking of
11 the two) because they had worked together before and they worked
12 good together. I did notice, however, that, whereas the Black
13 maid would work whether we were there or not if it was O.K. with
14 us, the blond, more intelligent looking maid, who usually worked
15 alone, by the way, did not like to work when we were there. She
16 would ask if we were going to be in all day and would either come
17 back later that day or return the next day.

18
19 On the morning of May 14, 1974, at approximately 7:45
20 a.m., just after the children had left for school, someone knocked
21 on the door of the children's apartment. I went to the door to see
22 who was there. When I opened the door two men were standing there
23 flashing identification cards that said F.B.I. One, an agent Pat-
24 ton, stuck his foot in the door and refused to move until I as-
25 sured him that I would open the other door as soon as my husband
26 and I were dressed, which we did together.

27
28 Upon entering the apartment, the two agents insisted that
29 we close the door because they had something of grave importance
30 to discuss with us. My husband refused to close the door despite
31 their insistence, and they became quite antagonistic because they
32 said they didn't want anyone else to hear our conversation. They

1 proceeded to question us about the SLA. My husband asked them to
2 leave several times and told them we were not interested in talk-
3 ing to them. When they became convinced that we weren't going
4 to close the door, they then told us that they had something to
5 show us that we would be interested in, but that we would have to
6 close the door. We refused. At that point they opened a small
7 suitcase that was filled with stacks of \$20's and \$50's. Agent
8 Patton told us that the money amounted to \$100,000 and that they
9 were prepared to up the offer to \$250,000 (a quarter of a million
10 dollars) if we would cooperate. They felt sure we had information
11 on the activities and the whereabouts of the SLA. We refused
12 their offer. At this point, one of the agents asked my husband if
13 he would like to see something happen to his wife and children.
14 We saw that as a threat. When they finally left we contacted Mr.
15 Duncan, who advised us to prepare a statement for a press confer-
16 ence (which he would set up) in order to make their visit public
17 knowledge. He felt this would afford us a certain amount of pro-
18 tection. This we did the same day. (Our attorney, at first, was
19 rather dubious about our story of the attempted bribe. However,
20 he was later contacted by the F.B.I. in an attempt to persuade him
21 to persuade us to talk with them. He questioned them about the
22 money and was told that that had embarrassed them; that they [the
23 Berkeley and San Francisco offices] had attempted to dissuade the
24 agents from Washington, D.C. from doing that because they felt we
25 would not be amenable to their offer.)

26
27 On May 23, 1974, we had another meeting in our attorney's
28 office with Mr. Magmenim (question the spelling here) and Mr.
29 Wallace. They questioned us about Bill and Emily Harris, Patricia
30 Hearst and other alleged SLA members. They also questioned us
31 about our purported activities or involvement with the SLA and
32 showed us pictures of the Harrises, other alleged members of the

1 SLA and other leftist activists. Their line of questioning in-
2 ferred that we had played an active part in the activities of the
3 SLA. For instance, they asked us if we had ever threatened to
4 kill Colton Westbrook or any other police officer. Prior to this
5 meeting (a day or two) my husband had taken me to my class at U.C.
6 Berkeley, a thing he had never done before, and Mr. Magmeninum
7 and Mr. Wallace were there waiting for me, along with a couple of
8 campus cops, plain-clothed and in uniform. When I left the car
9 and began walking toward the building they all walked toward me
10 and surrounded me, showing identification cards at the same time.
11 I refused to talk with them and walked back toward the car where
12 my husband was still sitting. They, in the meantime, were at-
13 tempting to ask me to help them by convincing Jim, my husband, to
14 talk with them. They were forced to set up the May 23rd meeting.
15 I explained that I couldn't meet until the afternoon of May 23 be-
16 cause I had to do a cooking demonstration at Haste Street House.
17 At the time of the demonstration a stranger appeared at Haste
18 Street House where I worked -- a very straight, conservative,
19 50-ish white man who did not fit in with the usual kind of people
20 who frequented Haste Street House, and who only stayed there for
21 about five minutes, waiting in the office where I worked. I as-
22 sumed him to be a cop of some kind checking to be sure I wasn't
23 lying about the job I had to do that afternoon.

24
25 Around June 5th our attorney contacted us and asked us if
26 we would meet once more with the F.B.I. He said that they had
27 come up with something very important, particularly in regard to
28 me. At this meeting, they questioned me about a gun that they
29 claimed to have found after the fire in Los Angeles. They claimed
30 to have traced the gun to my ex-husband who promised to give a
31 sworn statement that he had given it (a .22) to me some years ago.
32 They questioned us both about guns intensively and asked if we had

A-4

1 supplied the SLA with guns. Our reaction was less than cordial.
2 However, at all these meetings, the agents were very easy, unlike
3 the threatening atmosphere created by agent Patton and his partner.
4

5 However, on campus, I observed many times tourist-like white
6 men, always taking pictures whenever I was talking to my friends.
7 Sometimes they would just off to the side of me or directly in front
8 of me. Many times I have suggested to my friends that we move on
9 because of these camera enthusiasts who always wanted to take pic-
10 tures of things just behind me or just off to the side of me (later
11 I found that the FBI was showing pictures of Jim and me talking to
12 friends on campus and asking people if they knew us.)
13

14 Just after the incident at Jack London Inn, a friend and I
15 were discussing the incident in Sproul Plaza as far away from
16 buildings as possible. Later, when they questioned him (they
17 threatened him with deportation for associating with people like us
18 the conversation was repeated verbatim. On another occasion, a
19 friend of mine was attempting to catch up with me and another
20 friend as we walked out of Sproul Plaza and observed two men who
21 were obviously following us. She became frightened and didn't
22 say anything, although she continued to follow to see how far
23 they would follow us. She later told me about the incident and
24 told me that they followed us to where I usually caught the bus
25 and waited until I was on the bus. This kind of thing happened
26 many times. On several occasions, after the F.B.I. and the cam-
27 pus cops were waiting for me at Harmon Gym that morning, I observed
28 that the same plain-clothes cop and several campus cops would be
29 standing around the area I usually walked through to get to and
30 from classes. They only spoke if I spoke to them, which I did
31 frequently in a pleasant manner.
32

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1 To the best of my knowledge, the foregoing eight-page state-
2 ment represents as complete and accurate an account as possible of
3 the various encounters I have had with the F.B.I. and possibly
4 other police agencies. I have made this statement voluntarily and
5 under penalty of perjury.

6
7 DATED: January 17, 1976.

NORMA L. MAYFIELD
Albany, California 94706

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1 talk to us. She came back to the room I was in and dressed. Af-
2 ter we had gotten dressed we both went to the door of our room.
3 When I opened the door I told them that my wife and I had nothing
4 to talk with them about. The two agents forced their way into
5 the room and insisted that I close the door. I refused to close
6 the door and continuously repeated to them that I wanted them to
7 leave and we were not interested in talking with them. They pro-
8 ceeded to question us about the SLA. We refused to answer ques-
9 tions. The two agents again began to insist that we close the door
10 saying that they had something very important to show us, some-
11 thing that we would be interested in. After apparently becoming
12 convinced that we would not close the door, agent Patton opened a
13 small briefcase he was carrying and displayed the contents
14 which he indicated to be one hundred thousand dollars. I saw stacks
15 of 20 and 50 dollar bills. We were told that that amount could be
16 increased to a quarter of a million dollars if we would give them
17 information about the SLA. My wife and I refused their offer.
18 One of the agents, then, asked me how would I feel if something
19 would happen to my wife and children "tomorrow morning." I felt
20 that they were threatening my family and became more insistent
21 that they leave. They left and I called our attorney. He sugges-
22 ted calling a press conference to make the visit public knowledge.
23 This conference took place on the afternoon of the same day. (Our
24 attorney was dubious about the details of the visit we described.
25 However, upon questioning one of the agents at a later date he re-
26 ceived an apology for his clients, us, being subjected to the of-
27 fering of money. The agent further stated that they were embar-
28 rassed by that and had attempted to dissuade the agents from Wash-
29 ington, D.C. from doing that because they felt that we would not
30 be receptive.)

31
32 On May 23, 1974, we had another meeting with F.B.I.

1 agents at the office of our attorney. The agents present were
2 Magminamin and Wallace. They questioned us about William and Emily
3 Harris, Patricia Hearst, other alleged SLA members and the so-called
4 people of the left. We were shown various photographs of such
5 people. We were questioned about our activities supposedly with
6 the SLA such as: the escape of Donald De Freeze, recruiting for
7 the organization, harboring a fugitive, and conspiring to commit
8 murder. We only answered questions pertaining to the purposes of
9 the BCA.

10
11 Prior to this meeting, on May 22, my wife was stopped by
12 two agents on the UC Berkeley campus. Just as she had gotten out
13 of our car and started for her classroom two agents stopped her,
14 told her that they would like to talk with her. She immediately
15 returned to the car, where I had not yet pulled away, and the agents
16 followed. I again informed them that we could only speak with
17 them in the presence of our attorney.

18
19 On June 6, 1974, our attorney advised us that the F.B.I.
20 had requested one more meeting with us. They had sounded urgent.
21 At this particular meeting my wife was questioned about a gun that
22 they say was found in the fire in Los Angeles on the 17th of May,
23 1974. The agents said that they had traced the gun through its
24 registration to her ex-husband, Albert Shehee. They further
25 claimed that he had stated he had given Norma the gun some years
26 prior to the time in question. The ex-husband was said to be
27 willing to testify to that fact. On the first Monday in November,
28 1974, as I approached my home, two agents intercepted me in front
29 of the building in which I live and handed me a notice which indi-
30 cated that we had been under electronic surveillance. When I en-
31 tered my apartment, my children immediately related to me a story
32 of harassment and intimidation. My thirteen year old daughter,

1 which was the oldest, told me that the agents had not only knocked
2 at the door but also had come to the windows and asked for them,
3 the children, to let them enter. One agent, at the window, made
4 his plea for entry by addressing my 13 year old daughter as Mrs.
5 Mayfield. The F.B.I. was familiar with the schedules of my chil-
6 dren, wife, and myself. We had, at that time, been under investi-
7 gation and surveillance for a number of months. I am sure they
8 knew my 13 year old daughter from my wife.

9
C 10 The foregoing statement made on these six pages is
11 true to the best of my knowledge and recollection. I have made
12 this statement voluntarily and signed under the penalty of perjury.

13
14 DATED: January 17, 1976.

JAMES J. MAYFIELD
Albany, California

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IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF CALIFORNIA

IN THE MATTER OF THE APPLICATION
OF THE UNITED STATES OF AMERICA
FOR AN ORDER AUTHORIZING THE
INTERCEPTION OF ORAL COMMUNICATIONS.

TO: Any civil officer of the United States authorized to enforce or assist in enforcing any law of the United States:

You are hereby commanded to serve this inventory on the below-indicated persons forthwith, leaving a copy of this inventory with the persons and returning this inventory to me.

INVENTORY

MR. AND MRS. JAMES JOHN AND NORMA LEE MAYFIELD
2730 79th Avenue
Oakland, California

Pursuant to the provisions of Section 2513 (8) (d) Title 18, United States Code (USC), you are hereby advised as follows:

1. On April 20, 1974, the Honorable Alfonso J. Zito, Judge, United States District Court, Northern District of California, signed an Order authorizing the electronic interception of oral communications for a maximum period of thirty (30) days between JAMES JOHN and NORMA LEE MAYFIELD and others, taking place in rooms 436 and 438 of the Jack London Inn, 444 Embarcadero West, Oakland, California.

2. On May 14, 1974, the Federal Bureau of Investigation terminated the electronic interception of oral communications

1 authorized by the April 20, 1974 Order.

2 3. During the period of interception, oral communica-
3 tions were intercepted at the above-mentioned address between
4 JAMES JOHN and NORMA LEE MAYFIELD.

5
6 DATED: October 25, 1977

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9 *Albert R. [Signature]*
UNITED STATES DISTRICT JUDGE

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Shirley, Thomas, and Thomas, Jr. Springfield, he carefully
and I have submitted the following statement:

at that time On March 7, 1974, I had my first con-
tact with the FBI. This contact
was in the form of a note which
said, "The FBI has your file at 2134 79th Ave, Oakland,
and is investigating my husband and me to
relatives. The contact ^{from} them because they wanted
to know if we were still with us. We contacted the
FBI and they are waiting for us for a while and
as an answer to a few legal services by one
friend, a friend, human, an attorney, he
if we agreed that we could use his office
to meet with the FBI and find out
might have that it was they wanted. This
afternoon meeting place the afternoon of
April 11, 1974. During the discussion
with the FBI with Mr. Human we determined
and agreed that the only questions we
have waiting would answer would be questions
to do it. Meeting with the FBI. Consequently,
a reporter the first meeting about 10:00 AM with
attorney that day, which was the only knowledge we had.
attorney that day, 1974, but, house on 79th Ave,
the FBI would not a few ^{more} weeks we
were waiting without a place to live. Then,

1-17-
On April 17, 1974 we were contacted
investigating by our insurance agent at my brother's
the first house on Oakland and informed that he
was not had been but quite. He was in jail
off by the FBI and each time with him finished with us.

London from on Broadway and East 42nd Street
in Central Park area in that night.
Originally when we moved in, there
were about four black maids that
served the family party, and we
were in about that day,
two white maids were added who
appeared to take care of our suits,
specifically. I questioned the black
maid about the change and she told
me that she had been told that
we and the two men who had
just moved in needed the corridor
from us were 'Special Service'. The
two men, she said were friends of
the manager, and she didn't know
any one were 'Special Service'. But
she added that the two white women
were taking care of us only. Later,
I had an opportunity to question
one of the white maids and she ex-
plained that she had just gotten the
job, that she had been called es-
pecially for the job because she was
known as a good maid and that she
had called the other woman (the
darker looking of the two) because
they had worked together before and
they worked good together. I did notice
1-17-76 however that, whereas the black maid
would work whether we were there
or not, if it was ok with us, the

Good, man intelligent looking, well, and
neatly dressed along by the day, did
not like to work when we were
there. She would ask if we were
going to be in all day and would
either come back later that day
or return the next day.

In the morning of May 14, 1974, at
approximately 7:45^{am} just after the
children had left for school, someone
knocked on the door of the children's
apartment. I went to the door to
see who was there. When I opened
the door the men were standing
there wearing identifying cards
that said FBI. One, an agent Patton,
pushed his foot in the door and refused
to move until I assured that
I would open the other door as soon
as my husband and I were dressed,
which we did together.

Upon entering the apartment, the two
agents insisted that we close the
door because they had something of
great importance to discuss with
us. My husband refused to close the
door except their insistence and they
became quite antagonistic because
they said they didn't want anyone else
to hear our conversation. They pro-
ceeded to question us about the S.S.
My husband asked them to leave

1-17-76

several times and told them we were not interested in talking to them. When they became concerned that we weren't going to leave the door, they then told us that they had something to show us that we would be interested in, but, that we would have to leave the door. We refused. At that point they open a small suitcase that was filled with stacks of \$20's and \$5's. Agent Patton told us that the money amounted to \$100,000 and that they were prepared to up the offer to \$250,000 (a quarter of a million dollars) if we would cooperate. They felt sure we had information on the activities and the whereabouts of the S.A. We refused their offer. At this point one of the agents asked my husband if you would like to see something happen to his wife and children. He saw that as a threat. When they finally left we contacted the Bureau, who advised us to prepare a statement for a press conference (which we would set up) in order to make their visit public knowledge. We felt this would afford us a certain amount of protection. This we did the same day. Our attorney, at first, was rather dubious about

1-77-76

EX-100

our story of the attempted bribe.
However, he was later contacted by
the FBI in an attempt to per-
suade him to provide information to
talk with them. He refused them
about the money and was told
that that had embarrassed them,
that they (the Beckley and Ann
Gomer officers) had attempted to dis-
suade the agents from Washington D.C.
from doing that because they felt
we would not be amenable to their
offer.

On May 23, 1944 we had another
meeting in our attorney's office with
Mr. Thompson (question the spelling
now) and Mr. Dallen. They questioned
us about Bill and Emily Harris,
Patricia Hunt and other alleged SCLC
members. They have questioned us
about our proposed activities or
involvement with the SCLC and
showed us pictures of the Harris
other alleged members of the SCLC and
other leftist activists. They line of
questioning implied that we had played
an active part in the activities of the
SCLC. For instance, they asked us if we
had ever threatened to kill Colton
Wethorne or any other police officer.
Prior to this meeting (a day or two)
my husband had taken me to my

1-17-76

RE

at the meeting
class a thing he had never done before,
and Mr. M. and Mr. Wallace were there
waiting for me, alone with a couple
campus cops, plain-clad and in
uniform. When I left the car and
began walking toward the building
they all walked toward me and
surrounded me, showing identification
cards at the same time. I refused to
talk with them and walked back
toward the car where my husband
was still sitting. They in the mean-
time were attempting to ask me
to help them by convincing Jim, my
husband, to talk with them. They
were told to set up the May 23rd meeting.
I explained that I couldn't meet until
the afternoon of May 23 because I
had to do a cooking demonstration at Hostet-
House.
At the time of the demonstration a
stranger appeared at Hostet Street
House whom I disliked - a very straight,
conservative, scrawny white man who
did not fit in with the usual kind
of people who frequented Hostet Street House
and who only stayed there for about
five minutes, waiting in the office
where I worked. I assumed him to be
a cop of some kind checking to see how I
wasn't losing about the job I had to do
that afternoon.

1-17-76

EX

around June 5th an attorney contacted me and asked if we could meet and more or less the FBI he said that they had come up with something very important, particularly in regard to me. At this meeting the gentleman asked about a gun that they claimed to have found after the fire in Las Angeles. They claimed to have traced the gun to my ex-husband who promised to give a sworn statement that he had given it (A. 22) to me some years ago. They questioned us both about guns extensively and asked if we had supplied the SLH with guns. Our reaction was less than cordial. However, at all these meetings the agents were very easy, unlike the tightening atmosphere created by agent Patton and his partners. However, on campus, I observed many times thrust-like white men always taking pictures whenever I was talking to my friends. Sometimes they would be just off to the side of me or directly in front of me. ^{the men} Many times I have suggested to my friends that we move on because of these camera enthusiasts who always wanted to take pictures of things just behind me or just off to the side of me. Later I found that the 1-17-76 FBI was showing pictures of Jim and my talking to friends on campus and even to Jim.

1-17-76

asking people if they knew us).
Just after the incident at Jacksonboro, a
friend and I were discussing the incident
in Grand Baya as far as possible.
as possible. Later, when they questioned
[they treated him with disrespect for
associating with people like us] the
conversation was repeated verbatim.
On another occasion, a friend of mine
was attempting to catch up with me and
my other friends as we walked out of Spring
Baya and observed two men who were
obviously following us. She became
frightened and didn't say anything, although
she continued to follow us. She later told me
they could follow us. She later told me
about the incident and told me that they
followed us to where I usually caught the
bus and waited until I was on the bus.
This kind of thing happened many times.
On several occasions, after the FBI and the
Court (campus) cops were waiting for me at
Harrison Gym that morning, I observed that
the same plain-clad cops and several
campus cops would be standing around
the area I usually walked through to get
to and from classes. They only spoke if I
spoke to them, which I did frequently in a
pleasant manner.

1-17-76

To the best of my knowledge, the foregoing
eight-page statement represents as
complete and accurate an account as

possible of the various encounters I
have had with the FBI and finally
other police agencies. I have made this
statement voluntarily and under penalty
of perjury.

Thomas F. Mayfield
January 17, 1946
Alhambra, Ca 94706

~~CONFIDENTIAL~~

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7-1

I, Kim Annette Mayfield do willfully submit the following statement:

Kim Annette Mayfield
Albany, Ga.

Kim Mayfield
11/7/74

On Nov. 3, 1974, two days after we moved here, two F.B.I. agents appeared at our door after my brother and I came home from school. They kept knocking loudly on the door and telling us that they were the F.B.I.. After noticing that we were not going to open the door, they were walking away. (We did not open the door, because we had strict orders not to answer the door when my parents were not home. This order was made long before the S.L.A. event came up.) The shade was raised about four inches from the window-sill. The two F.B.I. agents stood by the window and started talking to me. I was sitting at the window at the time. They kept calling to me as if I were my mother. They soon left and went to their car where they sat until they saw my father walking down the street. They immediately got out of the car and started talking to my father.

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I am presently 15 years old.
This statement is correct to the
best of my knowledge. I have
given this statement voluntarily, and
I sign it under penalty of perjury.

[Signature]
11/15/76

~~COILER~~

~~7~~

Jan 17, 1976

I, Dennis J. Springfield, do willfully submit the following statement:

On March 7, 1974, I had my first contact with the FBI. This contact came in the form of a note attached to my front door at 2730 - 79th Avenue, Oakland, requesting my wife and me to contact them because they wanted to talk with us. We immediately contacted The Lawyer's Listening Post for advice and were offered legal services by Robert Duman, an attorney. He agreed that we could use his office to meet with the FBI and find out what it was they wanted. On March 8, this meeting took place. It was determined and agreed that the only questions we would answer would be questions limited to the association we had had with the B.C.A.

On April 1, 1974, our house was set a fire.* It was not until April 17, 1974, that our insurance agent located us a place to stay. On that date we moved into two adjoining suites at the Jack London Inn on Broadway and Embarcadero, Oak. After we had been there less than a week the maid service which had been provided by the general crew of Black maids on the floor we were living on was replaced by two white maids. However, the two new maids only serviced the

*My wife and I were out of town on the date our house was set a fire. I have no idea who was responsible.

June 17, 1976.

2

suites that we occupied and one suite directly across the hall.

On the morning of May 14, 1979, at approximately 7:45, after our childrens had left for school, we heard a knock at the door of the children's room. My wife was up and went to the door. Upon opening the door she saw two men holding up FBI identifications and announcing that they were FBI agents and had to talk to us. She came back to the room I was in and dressed. After we had gotten dress we both went to the door of our room. When I opened the door I told them that my wife and I had nothing to talk with them about. The two agents forced their way into the room and insisted that I close the door. I refused to close the door and continuously repeated to them that I wanted them to leave and we were not interested in talking with them. They proceeded to question us about the S.L.A. We refused to answer any questions. The two agents again began to insist that we close the door, saying that they had something very important to show us, something that we would be interested in. After, apparently becoming convinced that we would not close the door agent Patton opened a small briefcase he

on 17, 1976.

3.

was carrying and displayed the contents which he indicated to be one hundred thousand dollars. ^{3 new stacks of 20 and 50 dollar bills.} We were told that that amount could be increased to a quarter of a million dollars if we would give them information about the SLA. My wife and I refused their offer. One of the agents, then, asked me ~~if~~ how would I feel if something would happen to my wife and children tomorrow morning? I felt that they were threatening my family and became more insistent that they leave. They left and I called our attorney. He suggested calling a press conference to make the visit public knowledge. This conference took place on the afternoon of the same day. Our attorney was dubious about the details of the visit we described. However, upon questioning one of the agents ~~at~~ a later date he received an apology for his clients, us, being subjected to the offering of money. The agent further stated that they were embarrassed by that and had attempted to dissuade the agents from Washington D.C. from doing that because they felt that we would not be receptive.)

On May 23, 1974, we had another meeting with FBI agents at the office of our attorney. The agents present were Mag-

June 17, 1976.

4.

minamin and Wallace. They questioned us about William and Emily Harris, Patricia Hearst, other alleged SLA members and ^{the} so-called people of the left. We were shown various photographs of such people. We were questioned about our activities supposedly with the SLA such as: the escape of Donald Defoe, recruiting for the organization, harboring a fugitive, and conspiring to commit murder. We only answered questions pertaining to the purposes of the BCR.

Prior to this meeting, ^{on} May 22, my wife was stopped by two agents on the UC Berkeley campus. Just as she had gotten out of our car and started for her classroom two agents stopped her, told her that they would like to talk with her. She immediately returned to the car, where I had not yet pulled away, and the agents followed. I again informed them that we could only speak with them in the presence of our attorney.

On June 6, 1974, our attorney advised us that the FBI had requested one more meeting with us. They had sounded urgent. At this particular meeting my wife was questioned about a gun that they say was found in the fire in Los Angeles on the 17th of May, 1974.

This is 5 of six pages.
Jan 17, 1976.

5.

The agents said that they had traced the gun through its registration to her ex-husband, Albert Shesher. They further claimed that he had stated that he had given someone the gun some years prior to the time in question. The ex-husband was said to be willing to testify to that fact. On the first Monday in November, 1974, as I approached my home, two agents intercepted me in front of the building in which I live and handed me a notice which indicated that we had been under electronic surveillance. When I entered my apartment my children immediately related to me a story of harassment and intimidation. My thirteen year old daughter, which was the oldest, told me that the agent had not only knocked at the door but also had come to the windows and asked for them, the children, to let them enter. One agent, at the window, made his plea for entry by addressing my 13 year old daughter as Miss Mayfield. The FBI was familiar with the individuals of my children, wife, and myself. We had, at that time, been under investigation and surveillance for a number of months. I am sure they knew my 13 year old daughter from my wife.

The foregoing statement made on these
six pages is true to the best of my
knowledge and recollection. I have made
this statement voluntarily and signed
under the penalty of perjury.

James Mayfield

January 17, 1976.

Albany, Calif.

The Arizona Daily Star
STAR PUBLISHING COMPANY
P.O. Box 26807 • 4850 S. Park Ave. • Tucson, Az. 85726

JOHN LONG
General Writer

Mr. Leonard Weinglass
2025 Avon St.
Los Angeles, Calif.
90026

Dear Mr. Weinglass:

Following is a record, to the best of my knowledge, of my encounters with agents of the Federal Bureau of Investigation on matters concerning Bill and Emily Harris:

In mid-May, 1974 FBI agents Bill Christiansen and Jean Echman came to my home at 2220 S. Hemlock Strav. in Tucson, Arizona. There was another agent who did not enter the house, but remained in the front yard and there were other people in the back of the house (I do not know whether they were FBI agents or not, but presumed they were).

The agents came to the door within minutes after I had returned from the dentists office and later informed me I had been followed there. I was also informed that my home had been under surveillance prior to the visit by the two agents. We had two house guests who were checked-out by the FBI before the visit.

I was asked about Bill and Emily Harris by Christiansen and when I responded that I didn't know who he was talking about he said incredulously that he didn't believe it and pulled out an FBI wanted poster with their pictures on it. When I realized who he was talking about I said I didn't know anything about them that could help ~~xxxx~~ him, and I hadn't seen them

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The Arizona Daily Star

STAR PUBLISHING COMPANY
P.O. Box 26807 • 4850 S. Park Ave. • Tucson, Az. 85726

in several years.

The agents told me they had discovered my name in an address book of Bill's a few days earlier and since it had only taken the FBI a few hours to find my new address in a city a thousand miles away from the old one it was feasible that the Harrises could do the same--only in a little more time. Christiansen said that they were extremely dangerous, pointed out that their comrades died in ALA a few days earlier because they wouldn't give up and the same ending may be true at my house if they came here and I didn't cooperate. (My wife was expecting a child in two weeks, which was ~~probably~~ obvious to the agents) They also said that I couldn't expect them to be the same people I had traveled with in Europe and as much as I might not believe it, they were armed and extremely dangerous. At one point they told me that my family and I would be in such jeopardy if they came to my house that it would be best if I said nothing to the Harrises and did not contact the FBI ~~xx~~ or do anything out of the ordinary while in their presence. They said that they would handle everything. (FBI)

To the best of my knowledge the rest of our conversation centered on what I could remember about our travels and if either of the Harrises had shown traits of being revolutionaries while we were together in Europe.

State of Arizona SS: County of Pima
Subscribed and sworn to before me
this 26th day of January, 1976 by
John S. Long at Tucson, Arizona

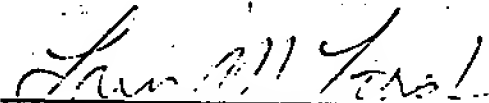
Notary Public

John S. Long

AFFIDAVIT

I, LARRY M. LEACH, do hereby swear and affirm as follows:

During the period of time William and Emily Harris were sought by the Federal Bureau of Investigation, I was questioned by the FBI on numerous occasions. On several occasions, I asked them if I was in any way under surveillance or had my phone tapped, to which I received a negative reply. However, several incidents led me to believe I was in fact under surveillance of some sort. On two separate occasions I had out-of-town visitors who were friends of both mine and William and Emily Harris. The first was Mr. Kip Kinder and the other was Mr. David Corrie. Both of these individuals live in the Chicago area and had been previously contacted in this matter. After each made a short impromptu visit with me in Denver, I received phone calls from both, as I said on two separate occasions, indicating that they had been contacted by the FBI immediately upon their return to Chicago and questioned as to whether our conversations had provided them with any insights as to the location or possible movements of the Harris'. Both individuals indicated in their phone conversations to me that they felt the only way the FBI could have obtained this information was to have had me under surveillance.


Larry M. Leach

SUBSCRIBED AND SWORN TO BEFORE ME this 5th day of January, 1976.


Notary Public

My Commission expires May 15, 1978

AFFIDAVIT

(ss.i)

RALPH BARBIERI

Being duly sworn depose and says: I, Ralph Barbieri, a freelance writer, spent from March 4, 1975 to March 9, 1975 at the residence of Bill Walton in West Linn, Oregon.

The purpose of the visit was to gather information from which I could write an article about Mr. Walton and his lifestyle.

Neither Jack nor Kicki Scott were present at any time during my stay. After two FBI agents arrived at Walton's home and after numerous calls were received from individuals who had been questioned by the FBI, I became aware that the FBI was apparently interested in locating the Scotts, although I had no idea why.

Approximately two weeks after I had returned to my home in Mill Valley, California, on the afternoon of March 25, 1975, two FBI agents came to my residence and questioned me for about a half an hour. A number of subjects were discussed.

I told them that, based on what I had read about the SLA and the violence associated with their actions, I would not consider myself to be one of their sympathizers. I went on to say that at no time during my visit with Bill Walton was Patty Hearst's name mentioned. I also stated that there was no discussion of the whereabouts of the Scotts.

During our conversation, one of the agents, prefacing his remarks by saying, "Now I don't want you to think that we're trying to tell you what to do," went on to suggest that I return to Mr. Walton's home for the explicit purpose of trying to obtain "information that might be valuable to our investigation." I was told that, if I should be able to come up with any such information, it would be paid for "on a C.O.D. basis." They said that the dollar figure would be negotiable and largely contingent upon the nature of the information, but intimated that it would be a healthy sum, saying only that it would be "enough to pay the rent for a while."

When I expressed surprise at the nature of the proposition, one of the agents said, "This isn't a bribe. We just want to let people like yourself, who are obviously unaware of the fact, know that there is money available for information that can be of use to us."

When I expressed concern over the fact that the FBI appeared to be questioning so many different people without good reason to do so, to the extent that it seemed as though they might as well go door to door, one of the agents said that going door to door "might not be such a bad idea."

Directly thereafter, the agents informed me that it would "naturally" be necessary to question the people who rented the upper portion of the house in which I lived. Their only connection with the case was that they lived upstairs from me. I didn't have to tell the agents their names, since they knew them already.

(signed)

Ralph L. Barbieri

Ralph L. Barbieri

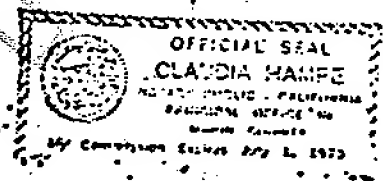
August 11, 1975

Mill Valley California

Aug 11, 1975 Ralph L. Barbieri

appeared before me and signed
this document and affirmed
that the contents are the truth

Claudia Hange



AFFIDAVIT

State of California)
County of San Diego) ss.:

LYNDA HUEY being duly sworn depose and says:
I am a physical education professor, coach athlete and writer. I am also a personal friend and professional associate of Jack and Micki Scott. On the night of March 4, 1975, I returned home to my Carlsbad beach apartment after running errands for most of the day. I stepped inside the front door at 10:00 P.M. At 10:10 P.M. I was disturbed by a rude pounding on my door and a brisk shout of "Lynda Huey....FBI." I allowed two agents, who identified themselves with badges to enter my apartment and they interrogated me for the next half hour to forty-five minutes.

All of their initial questions dealt with the whereabouts of Jack and Micki Scott, my knowledge of their previous living quarters in Cberlin, New York City and Portland. After a half hour of questioning, they asked me the following question, "When you were in the Scotts' New York City apartment, did you ever see anyone that resembled Patty Hearst or William and Emily Harris?" I was stunned by the question, but answered then as I repeat now, NO...not only did I never see anyone who resembled Hearst or the Harrises, but I never heard mention of them except in reference to newspaper articles that were read or television news reports that were seen.

From the time the FBI agents visited my house until I left for the East coast on business three weeks later, I felt the presence of the FBI in my life all around me. Immediately after the questioning agents left my house, I drove to Patty Van Volvelere's house several blocks away. Friday, March 7th, she was visited by the same two agents. The night before I had been questioned, I had visited Pat Dibble in Oceanside. That same Friday, March 7th, she was visited by the same two agents.

On March 5, 1975, I drove to Del-Aire, California, visiting a friend who has a fairly high security network around his property. I hadn't been there over three hours before this friend received a call on this "hot line", the phone that only his close relatives and his attorney (not more than ten people) have the number to. That caller asked if Micki was there, then when answered in the negative, claimed to have dialed a wrong number. Two days later in an evening news report, my friend was implicated on the news as having a possible involvement in the Hearst case. His name was never mention, but his crinonce in his field was. Within a week after my visit, this same friend was contacted by the FBI by phone several times, and his answering service referred them to his attorney.

For the next three weeks, I received calls from friends all over the state of California and even in Maryland who had been questioned by the FBI because of their friendship with me. The pattern became quite simple.. If I made a phone call to a friend, within a week, they would be calling back to tell me that they had been contacted by the FBI. I began to feel that my phone was tapped and that my movement around southern California was being watched closely. I had never had any trouble getting a good connection to the East coast on my many phone calls, but now it was practically impossible to hear my East coast parties.

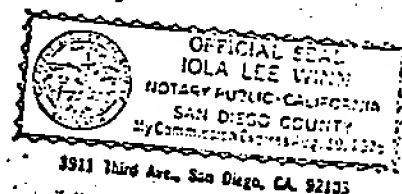
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My landlords, who lived above me in the same beachfront apartment were questioned by the FBI and asked if they had seen Hearst or the Harrison coming or going from my apartment. I was asked to move out by March 24th, 1975. The local paper, the Blade-Tribune had an article on their front page Monday, March 10, 1975, saying that the fugitives Micki and Jack Scott had been harbored in Carlsbad just before their disappearance. All of the above things definitely made my life a lot rougher than usual and certainly gave me the impression of not maintaining my personal freedom in this country. I felt trapped, watched, for something that I had absolutely no knowledge of.

Lynda A. Huey
Lynda A. Huey

Subscribed and sworn to before me this
14 day of August 1975
Sila P. Plummer
Notary Public
State of the County of San Diego, and State of California



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A-20

1. AFFIDAVIT

STATE OF GEORGIA } ss.:
COUNTY OF FULTON }

CASS YOUNG JACKSON

BEING DULY SWORN depose and says:
Head Football Coach Morris Brown College
and Friend of and professional associate
of Mike & Jack Scott.

ON MARCH 7, 1975 TWO AGENTS OF
THE FBI CAME TO MY HOME AT 244 N.
PREFESSOR ST. OBERLIN, OHIO 44074 WHERE
I WAS ASSISTANT PROFESSOR OF PHYSICAL EDUCATION
AT OBERLIN COLLEGE IN OBERLIN, OHIO.

It had been brought to my attention
by ^(COLLEGE SECURITY) reliable source that my home was under
surveillance for some time. At the time I was
unaware of the surveillance and I did not
understand the reason for this. By this surveillance
I was put in a uncomfortable position in the
small town of Oberlin.

The two agents came to my home on
this night shortly after I had returned home
from baseball practice. The conversation started
with them identifying themselves and me telling
them no. (the end)

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They asked if John or Mimi had been in Obelin and I said yes and they pushed for a date. At the beginning I could not come up with a date. They really pushed ^{the} point then I remembered a football game we had that day and told them. They ~~felt~~ made me feel relieved when they told me they were glad I said the right date because that was when they thought a call came to my home from Patty Herat Farm Las Vegas.

It was then that they told me they had subpoenaed ~~the~~ the phone bill from my house. I later after thinking remembered that JAMES PIERCE was in Las Vegas and that they called while Alrick was there.

After visiting me Iqbal visited my 70 year old mother in San Jose, California who does not even know the Scots.

My father is a great lover of his country,
and would not let his children go to school
in the country of the A. 23

4

I thought it was over when I went
home for a summer vacation. I was called
me from Oregon and the following day
the FBI agents from San Jose came to
see me again.

Cass Jackson
CASS JACKSON

Ernest E. Hogan 8/12/75
Notary Public, Georgia State at Large
My Commission Expires May 17, 1976

AFFIDAVIT

State of COLORADO
LA PLATA County (ss:)

NANCY KENNEDY MEGGYESY

Being duly sworn, deposed and says:

I, Nancy Kennedy Meggyesy, have been living in Mayday, Colorado for the last two years with my husband and my three children. My primary occupation has been taking care of the home and children.

I have known and have had a friendship with Micki and Jack Scott for about five years; starting in 1969 when they opened their home to us when we moved to California. This friendship has continued to this day.

One day in early March, 1975 as I was leaving home to drive into town two men, who identified themselves as F.B.I. agents arrived. They asked if I knew Jack Scott, Micki Scott and the Harris's, if I knew their whereabouts and/or Patty Hearst. I told them of course I knew Jack and Micki but that I didn't know and had never met any of the other persons they asked about. I also told them I didn't know the whereabouts of any of the persons they asked about including Jack and Micki.

They then asked me if I did receive any information about the people they inquired about would I tell them.

Page 2 Nancy Kennedy Meggyesy

I answered no. They then asked if I were to be given a sum of money, would I be willing to give them information.

I answered no.

They then mentioned that they sometimes have people, who for money will cooperate and give the F.B.I. information.

They then left and said they would return when my husband would be home.

Nancy Kennedy Meggyesy

8-12-75

Charmaine Burke
arr exp Feb 25 1978

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

RE: GRAND JURY INVESTIGATION:.. No. 4541 MCD
JACK SCOTT

State of New York)
County of New York) ss.:

JACK SCOTT, being duly sworn, deposes and says:

1. I am the witness herein and I am making this affidavit in support of a motion to quash the within subpoena on the ground that its issuance is part and parcel of an illegal, unlawful and unconstitutional governmental scheme to harass, intimidate, terrorize and punish me and members of my family.

2. On August 6, 1975, I met with my brother, Walter Scott, from 2:15 to 4:50 p.m. in the lobby of his hotel, the New York Hilton. This meeting was arranged at his request and his reasons for so doing, as explained to me, were as follows:

a. He was planning to write a book exposing various illegal activities of the FBI, and he wanted my advice as to how to obtain a contract to do so.

b. He wanted to make an affidavit detailing numerous illegal FBI activities against me, my wife, my parents, my friends and my attorneys.

3. At the start of our meeting he told me that two FBI agents had visited him around noon and warned him that he was under constant surveillance. They then asked him publicly

to denounce our father's remarks regarding FBI pressure and harassment made at a press conference at the Diplomat Hotel in New York City on August 5, 1975. He was assured that he would be furnished with "a new identity and all the money you need" if he would cooperate fully.

4. He also stated that FBI agents had visited him on August 4, 1975, the day before the aforesaid press conference, and warned him not to participate in it unless he was prepared to live in a constant state of fear because of Bureau reprisals. Parenthetically, he did not appear at the press conference.

5. During our discussion, he confirmed the statements made by our father at the press conference, and that the \$100,000 to \$200,000 promised by the FBI was on a COD basis. He said that the FBI had asked him to inform me that all members of our family would be granted immunity and paid the money in question when I had furnished the Bureau with information leading to the location of Patricia Hearst. In addition, he was told that the promised immunity might be available if I agreed to collaborate even if my collaboration did not result in the "delivery of the body," but that the payment of the money was contingent upon the "delivery of the body."

6. He further confirmed my father's statement that Bill Jansen, an FBI agent, had stated in his presence and that of our parents that he would just as well prefer that Ms. Hearst be delivered full of bullet holes because it would make things easier for everyone.

7. He also told me that, on numerous occasions during the past few weeks, as well as in the past few days, he had

he had spent with the FBI this past spring, various agents had advised him that our parents' telephone as well as mine in Oregon had been and were being tapped. He recalled that one agent had related to him the substance of a heated telephonic argument between my wife and me during the third week of February, 1975. This conversation took place while my wife was working on a book in San Diego, California, while I was at our home in Oregon. The agent remarked that "your sister-in-law sure knows how to curse."

8. My brother also stated that, in early February of 1975, he had been offered \$25,000 to \$50,000 if he would fly out to Portland "wired for sound" and attempt to entrap Bill Walton, my wife and me in a compromising position with drugs or engaged in any other illegal activities.

9. When the FBI learned that my brother intended to travel to New York City for the aforesaid press conference, two agents asked him to try to get close to William M. Kunstler, my attorney, in order to entrap him. "If you can get something on Kunstler," he was told, "the Bureau will make sure you never have any financial worries and we can easily arrange a new identity for you if you feel you need one."

10. Just before we were going to leave the hotel to execute an affidavit confirming the above and other information, my brother told me that he wanted to call David Rack, his contact agent at the FBI, to let him know that he was disassociating himself from the Bureau. When he returned, he said that he would have to call back in fifteen minutes since Mr. Rack was on his way to Harrisburg, Pennsylvania. He

called back in fifteen to twenty minutes, and, when he returned to our table, he was ashen faced and shaking badly. He said that he now needed more time to decide whether he would be able to execute the aforesaid affidavit.

11. I then told him that he should not permit himself to be intimidated from speaking out, but that he should not do anything he wasn't fully prepared to do, since the FBI would probably attempt to discredit him as it has done with other persons who have chosen to speak out. He then removed a bottle of sleeping pills and a bottle of codine tablets from his suitcase. Five minutes later, while we were discussing dinner plans, he excused himself to go to the bathroom. When he did not return for a considerable period of time, I searched the entire floor looking for him. When I failed to locate him, I took his suitcase and joined my wife at our lawyer's office.

JACK SCOTT

Sworn to before me this
day of August, 1975.

NOTARY PUBLIC

AFFIDAVIT

State of Nevada

County of Clark

SS:

JOHN J. SCOTT, being duly sworn
depose and say:

I am the father of Jack Scott, and
am presently employed as manager
of the Camelot Apartments in Las Vegas,
Nevada.

On July 17, 1975, F.B.I. agents David Rack
and Dick Vincent had dinner in our
apartment at the request of our son, Walter
J. Scott, who was living with us while
recovering from a previous back injury.

The following remarks were made to
us by Dick Vincent and/or David Rack
during the evening:

"The Bureau's pride and image has
been tremendously damaged by our inability
to find Patty Hearst and such a long
period of time as our primary goal.
Now whether it be with the Thayer
Jury you were subpoenaed to in San
Francisco or the one that was
starting up in Wisconsin."

John J. Scott, Manager

W
wrote Patty and you and all. asked
members of your family have absolutely
nothing to fear by you will just get
Jack to talk fully and openly with
us...

ac. Walter may have explained to you
we are prepared to pay for your re-
operation and also guarantee immunity
to all members of your family."

The agent then discussed some paying
between \$100,000 and \$200,000. It was also
discussed how the money would be
delivered to me.

I am 66 years of age and have never been
accused or convicted of a crime in my
life. It is for this reason that at this
late stage in my life I have no intention
of being bribed or intimidated into
collaborating in any manner with the
Federal Bureau of Investigation about
the activities of any member of my
family.

John J. Seal
Aug 13, 1975

Shirley J. Southland

August 13, 1975

AFFIDAVIT

State of Nevada

County of Clark

SS.

JOHN J. SCOTT, being duly sworn, deposes and says:

I am the father of Jack Scott, and am presently employed as manager of the Camelot Apartments in Las Vegas, Nevada.

On February 25, 1975, my wife and I received a visit from two agents of the F.B.I. at our residence. The agents, namely, McElroy and Sullivan, came from the Las Vegas office of the Bureau. They escorted me to their car parked outside our apartment. Immediately upon placing me in their automobile, McElroy picked up his radio transmitter and said over phone, "Come in, fast. I have Scott in the car." Within a matter of seconds two other agents arrived, exited from their car and entered our apartment. When I saw the other agents go into our apartment, I went to the door and saw them go in. I saw them go in.

by Mr. Luby and Sullivan. Knowing
the condition of my wife's health, I
was concerned about the effects of
such high pressure tactics on her.

At no time was either of us told
of our right to remain silent, and
have legal counsel. And a passport
was entered without the authorization
of any search warrant. Mr. Luby and
Sullivan informed me that they had
definite knowledge that we had been
slandered, and could expect
a sentence in Federal prison for
two years if we refused to answer
any questions. I had been for over
full cooperation, and then I was
granted full immunity. After a per-
iod of two minutes when it be-
came clear that I was not going
to be intimidated into answering
any questions I was allowed to
leave their car and enter our apart-
ment. I discussed my wife and
was asked by the other two agents
and demanded they leave immedi-
ately unless they could produce
a search warrant as other legal
document. At this point they im-
mediately left.

(3)

The following day Mr. Kirby and Sullivan returned and served a subpoena on me and said "This is what you get for not talking yesterday". Once again they informed me I would be granted full immunity if I read a statement to the grand jury, if so, I would not have to appear before the grand jury in San Francisco.

That alone was the presence of approximately 19 persons visits various F.B.I. agents made to our apartment. At no time was my wife and I advised of our right to remain silent or have legal counsel. As my office is adjacent to our apartment, the agents presence was a disruptive influence and was jeopardizing my employment. Consequently, I requested the agents not come to my office or apartment unless they had a warrant or subpoena. Numerous additional visits were made despite this request. My wife and I being 66 years of age view these visits as pure harassment intended to upset us and jeopardize my employment.

On July 17, 1975, at the request of
 our Son, Walter, J. B. Lagente,
 David Rack and Bill Jensen came
 to our apartment for dinner. Simply
 put, they said the Bureau was pre-
 pared to pay \$100,000 to 100,000 and
 grant immunity to all members of the
 Scott family if we could get Jack
 to cooperate with them. The deal
 was to lead a C.O.D. basis team
 in the money and immunity dependant
 on their locating Patty Hearst.

Later in said evening meeting Jensen
 made it clear to me the same deal
 would be given me if I could
 provide the same information they
 wanted from Jack. Rack was
 flown in by the Bureau from
 Philadelphia because of his close
 relationship with our son, Walter,
 who had spent approximately eight
 weeks in the "Protective Custody"
 of the F.B.I. earlier this year.

Both Jack and I were repulsed
 by the actions of the Bureau and
 revealed this to our offer at a
 New York Press Conference.

On July 22, 1975, Bill Gerson once again came to our apartment and reiterated the money and immunity offer. He said the offer was, of course, dependent on delivery of the body. In front of my wife I asked Gerson just what this meant by that statement. His response was, "I want the body dead or alive. He would rather have her full of bullet holes than alive because it would make it easier for everyone."

On Aug. 1, 1975, Agents John Smith and Bill Gerson drove our car, Walter, with a subpoena to appear before the Harnshaw Grand Jury on Aug. 19, 1975. When Gerson came out he inquired if I was going to San Francisco tonight. My wife and I were planning to meet our son Jack and his wife that evening, but these plans had been disclosed only in our apartment at our own telephone. It is for this reason, among others, that we assume some form of electronic surveillance was being used by the Bureau.

According to our son, Walter, agent
gave information on Aug. 1, 1975,
that there would be a physical con-
frontation at our apartment if Mike
& Jack came to Las Vegas. Walter also
told us that he was offered \$10,000
by F.B.I. agents if he would reveal
the plan for our May 1975
conference and also attempt to com-
promise William Luntz, and for
Jack's attorney.

After staying with us for several
months Walter left for the Coast Center
last December with approximately
\$1,500 loaned to him by his brother
Jack. His plan was to look for
employment there. He did not see
him again in person until June 31,
1975. Until a few weeks ago he stayed
with us in Las Vegas at his brother's
residence in Portland, Oregon.

He told us about massive illegal
activity the F.B.I. has directed against
our family and expressed a desire
to publicly expose these activities.
He said, however, that he feared for
his life if he pursued this course
of action. He also said he would like
to see a person who was involved in
this activity.

(7) John J. Scott
Aug 13, 1975

STATE OF NEVADA
COUNTY OF

Clark

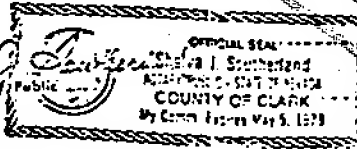
On August 13, 1975
personally appeared before me, a Notary Public in and to said
County and State,

John J. Scott

Known to me to be the person... described in and who executed the
foregoing instrument, who acknowledged to me that he executed
the same freely and voluntarily and for the uses and purposes there-
in mentioned.

Shirley C. Taylor

Notary Public



6940 INDIVIDUAL ACKNOWLEDGMENT

AFFIDAVIT

State of Nevada
County of Clark

ss.:

Louise Scott being duly sworn
deposes and says:

I am the mother of Frank Scott
and the wife of John F. Scott who
is presently employed as Manager
of the Capitol Apartments in Las Vegas,
Nevada.

On approximately their recent
visit to the FBI agents advised
to both my husband and I their
awareness of my ill health. I suffer
from extreme hypertension and have
refused to take medication daily.
A few years ago I had my
husband on a doctor's advice
that was the consequence of my
hypertension. I also have a heart
condition that stems from the hypertension
and am extremely susceptible to
strokes.

The following are some specific

examples of what I feel we to do

my husband was served with a
subpoena to appear before the
S.F. Grand Jury the 16th morning
serving the subpoena (Capt. Sullivan
and McKinley) said a subpoena
would not be served on me
because to do so would seriously
jeopardize my life given what
they knew about my health.

After, however, only a short
time later served with a subpoena
to appear before the S.F. Grand
Jury. This subpoena was eventually
quashed, but only after I was
subjected to extreme pressure and
other rather cruel extensive
medical experimentation of my health
status.

On March 5th my husband
was in S.F. appearing before the
Grand Jury. I was attempting
to tell the prosecutor in his presence
the Manager of the Coast Hospital
that we would not lose our
employment. Despite previous
assurances that I would not
be bothered while my husband
was out of town, Alvin McKinley

The FBI in the County is by telephone contact about 30 times a week. At no time did they ever advise us of our right to not talk with them or of our right to legal counsel.

Except for the one situation when one of the FBI agents, Rankin, came to our apartment, my husband and I have consistently asked them to leave us alone unless they have a subpoena to issue or an arrest warrant. Since FBI agents have been appearing 19 in person with to our apartment subsequent to our ^{request} that they leave us alone unless they have a search warrant, subjects or other legal reason to enter our home.

Since our working office is adjacent to our living quarters - our apartment can be entered only through the Manager of the FBI's records which have both jeopardized our employment and put us in a critical

Louise Scott
Aug 13th 1975

STATE OF NEVADA
COUNTY OF

Clark

On

August 13, 1975

personally appeared before me, a Notary Public in and for said
County and State.

Louise Scott

Known to me to be the person... described in and who executed the
foregoing instrument, who acknowledged to me that... he... executed
the same freely and voluntarily and for the uses and purposes there
in mentioned.

William J. Scott
Notary Public

OFFICIAL
William J. Scott
Notary Public
COUNTY OF CLARK
My Comm. Expires May 5, 1978

BR-10 INDIVIDUAL ACKNOWLEDGMENT

A-44

AFFIDAVIT

State of Nevada

County of Clark

ss.:

Louise Scott being duly sworn
deposes and says:

I am the mother of Jack Scott and
the wife of John F. Scott who is presently
employed as Manager of the Condo
Apartments in Las Vegas, Nevada.

My recollection of the July 12th dinner
meeting with FBI Agents David Rock and
Bill Tamm is essentially identical to my
husband's since we jointly made notes
of the meeting on July 10th while our
memory was still fresh.

My son Walter has a personal and
professional relationship with David Rock,
a special FBI agent from Philadelphia.
This was the only time my husband and I
ever invited FBI Agents into our
apartment. Walter was living with us at
the time while recovering from a serious
back injury and the two FBI agents were
invited to his home as his guests.

I declare under penalty of perjury that the foregoing is true and correct.
1/14/45

July 17th dinner meeting - except to
cook the dinner - but I remember the
following remarks being made by either
David Pack and/or Bill Finner:

"The Bureau pride and image has
been tremendously damaged by our inability
to find Patty Hearst over such a long
period of time.... Our primary concern
while it be with the Grand Jury
you (my husband) were subpoenaed to
in San Francisco on the one that may
be sitting up in Kinsbury is to
get Patty Hearst.... The Bureau wants
Patty and you (my husband) and all other
members of your family have absolutely
nothing to fear. You will just get
Falk to talk fully and openly with us....

Dr. Walter may have explained to
you we are prepared to pay for your
cooperation and also guarantee immunity
to all members of your family."

I heard the agents discuss some
summing between \$100,000 and \$200,000.
I also heard various proposals described
as to how the money could be delivered
to us.

See page III.

Louise Scott
Aug 13th 1975

STATE OF NEVADA
COUNTY OF

Clark

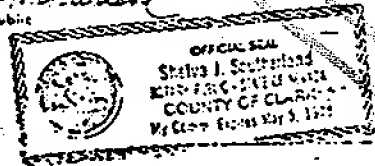
On August 13, 1975

personally appeared before me, a Notary Public in and for said
County and State,

Louise Scott

known to me to be the person described in and who executed the
writing instrument, who acknowledged to me that she executed
the same freely and voluntarily and for the uses and purposes there-
in mentioned.

Alfred J. Littlefield
Notary Public



BR-10 INDIVIDUAL ACKNOWLEDGMENT

A-47

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

RE: GRAND JURY INVESTIGATION: No. 4541 MCD
MICKI MC GEE SCOTT

State of New York)
 : ss.:
County of New York)

MICKI MC GEE SCOTT, being duly sworn, deposes and says:

1. I am the subpoenaee in the above-entitled matter and I am making this affidavit in support of my motion for a stay.

2. I believe that I, my husband, my family and friends have been subjected to interference with our telephone conversations since approximately January of 1975. At that time Bill Walton, my husband and I moved into a new home in West Linn, Oregon, where we shared a telephone. There, I installed our electronic answering machine which we had owned and used for six or seven years without any trouble whatever. Besides experiencing difficulties with conversations fading out and/or being cut off completely, the majority of calls answered by our electronic answering device were intercepted by a recording saying, "Your call cannot be completed as dialed." We had never previously had this kind of difficulty with the machine. It was at this time that we were first visited by agents of the FBI with regard to the Patricia Hearst, Emily and Bill Harris case.

3. Around the middle of February, I traveled to Carlsbad, California, where I stayed with a friend with whom I was writing a book. My husband called me almost daily from our home in West Linn during the period of time that I was gone. On February 26, Jack traveled to Las Vegas to visit with his parents. He called me in Carlsbad from the Las Vegas airport on the evening of February 26 to tell me that he was coming home the next day.

asked me to pick him up. I borrowed my friend's car and drove to San Diego (about a 1/2 hour drive) and picked him up. We drove back to Carlsbad, dropped my husband's bags off at my friend's house and went back out. At this time we noticed several cars parked close to my friend's house with a couple of men sitting in each car. These cars began following us around for the rest of the evening until we returned to my friend's house to sleep. In the morning, my friend drove us to the San Diego airport where we caught a flight to San Francisco, and these cars followed us to the airport. I believe that my friend's phone had been monitored during my conversation with my husband when he was in Las Vegas because to my knowledge there was no other way for the FBI to know about his arrival in San Diego.

4. My husband and I became frightened of the intimidation by the FBI and, beginning on February 27 until April 10, 1975, we stayed in places where the FBI was unable to find us. When we returned home in April, Bill Walton told us that many of his friends whom he had called from our telephone had been visited by the FBI during March and early April inquiring as to our whereabouts. We also learned from friends we had called from our phone before February 27 that they had been visited by the FBI during this same period of time.

5. Bill Walton also told us that in March, he had received a phone call from a friend who was calling from Los Angeles. This friend told Bill he was headed north and would be coming to Portland. Shortly after the call was made and Bill's friend had left Los Angeles, FBI agents arrived at the house in Los Angeles from which the phone call to Bill had been made. They asked the residents for a place at which they could contact the person who had made the call to Oregon and were given an address in Oakland, California. FBI agents arrived at the Oakland address, asked

6. In June, 1975, Bill, my husband, and I moved to a house in Portland where we had a new telephone installed. I did not bother hooking up the answering machine, but we noticed the same difficulties of conversations fading out and frequently being disconnected altogether.

7. On July 30, 1975, I made a call to a local record shop inquiring about tickets to a concert. The clerk informed me they had only a few tickets left, so I told them my husband and I would be right down to pick them up. We arrived at the record shop about fifteen minutes after I had called. As we approached the store, we noticed two cars double-parked up the street from the store. We pulled into a parking space across the street from the store and the two cars that had been double-parked pulled up -- one slightly behind our car and the other one right next to us. My husband got out of the car and several federal agents approached him and served him with a subpoena. I started to get out of the car, and several more agents approached me and served me with a subpoena. To the best of my knowledge, these agents did not follow us to the record store -- they were waiting there for us when we arrived. I believe that the only way they could have known where we were going was to have monitored my telephone conversation with the salesperson at the record store.

8. On July 31, 1975, I called my father-in-law, John Scott, in Las Vegas to discuss plans for meeting each other in San Francisco the following evening. I suggested to him that he check into the San Francisco Downtown Hilton and my husband and I would call him there when we arrived. He later told me that, after my call, an FBI agent visited him and his wife in Las Vegas. The agent asked my mother-in-law if she was going with her husband to San Francisco to meet us. I believe that the only way the

agent could have known about our trip to San Francisco was my monitoring my phone conversation with my father-in-law in which I talked about meeting him in San Francisco.

9. Telephone numbers which I have used frequently are attached hereto.

Michael Mc Gee Scott
MICHAEL MC GEE SCOTT

Sworn to before me this 8th
day of August, 1975.

Joan L. Washington
NOTARY PUBLIC

JOAN L. WASHINGTON
Notary Public, State of New York
No. 314507
Qualified in New York County
Commission Expires March 31, 1977

A-51

AFFIDAVIT

STATE OF NEW YORK
COUNTY OF NEW YORK

ss.:

Micki McGee Scott, being duly sworn deposes and says:

I am one of the movants herein and as such I make this affidavit in support of the motion to quash the subpoenas herein.

On the morning of January 16, 1975, two agents of the FBI (I don't recall their names) came by the house I was sharing with my husband and Bill Walton in West Linn, Oregon. They asked me first if Bill Walton was home, and when I told them he was on a road trip, they asked to see my husband. My husband had gone out for the morning, and when I told them that he was not home either, they asked to talk with me.

In 1969 my husband was writing for RAMPARTS Magazine and he told me he was visited by federal agents who agreed to take him from our home in Oakland, Calif., to the offices of RAMPARTS Magazine in San Francisco, where he would talk to them in the presence of an attorney. However, instead of taking him to San Francisco, the agents drove him around in their car for nearly three hours, refused to let him out of the car and badgered him with questions. Remembering my husband's frightening encounter with federal agents and knowing I had a right to refuse to talk with them, I politely told them that I had nothing to say to them. The agents immediately changed from a friendly demeanor to one of suspicion and said that they hadn't expected to meet with such hostility. I explained to them that I wasn't being hostile, but that I simply knew that I had a right to refuse to talk with them and that I was choosing to exercise that right. They continued to try and question me for ten to fifteen minutes, saying that if I

When my husband returned home later that morning, I told him about the visits from the FBI. He telephoned Charles Garry, an attorney we knew in San Francisco, who advised him to tell the agents to contact him. Mr. Garry informed us that he did speak with agents from the FBI who told him they were interested in talking to us about Patricia Hearst, and Bill and Emily Harris. We told Mr. Garry that we had nothing to talk to the FBI about, and he communicated that to the FBI.

It was at this time (early in January of 1975) that Bill Walton, my husband and I began having difficulty with our telephone. Our conversations were frequently interrupted with voices fading out and/or being completely cut off. There were loud clicking noises and we had difficulty in getting a dial tone. Additionally, I had installed an electronic answering device that my husband and I had owned and used for a six or seven year period with no trouble whatsoever. However, at this time, we began having a great deal of difficulty with the machine and incoming calls were frequently interrupted by a recording saying, "Your call cannot be completed as dialed."

When Bill Walton returned home around the third week in January from a road trip he had been on with the Portland Trailblazers professional basketball team, he told my husband and me that agents from the FBI had visited him on January 16, 1975 in his hotel room in Cleveland, Ohio, shortly before a game. He said they had questioned him extensively about my husband's and my activities and told him that we had given aid to Patricia Hearst, Emily and Bill Harris. My husband and I had not known Bill Walton personally before August 1974, and we had been living with him since October, when we moved to Oregon from New York City. Besides developing a personal friendship with Bill Walton, my husband and I were also developing a professional relationship with him with the expectation of utilizing his services in the future.

grapher, and the FBI's harassment and questioning of Bill Walton as well as their leveling accusations at us when we were neither indicted for any crime nor under any subpoena at that time, seriously jeopardized both our personal and professional relationship with him.

After the FBI's initial visit to our home in West Linn, Oregon, my husband and I began noticing a few automobiles unfamiliar to our neighborhood frequently parked around our home. Since we lived in a semi-rural area, new people or new cars in the neighborhood were quite apparent. Sometimes the cars parked around our house were empty and sometimes there were one or two men sitting in them.

Also in January, my husband's parents began calling us from their home in Las Vegas, telling us that they were receiving calls from their older son, Walter, who had recently moved from their home in Las Vegas to the East Coast to look for a job. Walter told his parents that the government had told him, while checking for a job security clearance, that they had information linking my husband and me to Hearst and the Harrises. My husband's brother has subsequently revealed to us that he was held in FBI custody for a period of eight weeks during the early part of 1975 and that he has worked with various governmental intelligence agencies, including the FBI, during the past ten years.

Subsequent to the FBI's visit to our home in West Linn and my husband's refusal to talk with them, federal agents began visiting my husband's parents, John and Louise Scott, in Las Vegas where they live. My in-laws are retired with no income other than social security "benefits." To supplement their income, they are employed as managers of an apartment complex in Las Vegas, Nevada, and receive a rent-free apartment as part of their remuneration. The manager's office is attached to the front of their apartment. The FBI's frequent visits to them (they have been at my in-laws

questioning of various tenants in the apartment complex seriously jeopardized both their employment and their emotional well being. My mother-in-law is in very delicate health, and although various agents of the FBI have acknowledged that they had an understanding of the possible consequences to her health --including her death-- of their harassment, they have continued to put a great deal of strain and tension on her by repeatedly visiting her home. Since my husband and I are very close to his parents and would be financially responsible for them should they lose their jobs, the FBI harassment of them has put us under a great deal of tension and pressure to talk with them.

In June 1974 I had agreed to help a woman athlete, Lyn Huey, write a book about her experiences and take photographs for the book. A contract for the book was signed in July, and we began working on the book in New York City. At the end of the summer, Ms. Huey moved to Carlsbad, California, where she had a job as a coach and teacher at a junior college. We agreed to stay in close contact and once I moved to Oregon, we began seeing one another periodically-- sometimes at my home in Oregon and sometimes at her home in California-- in order to continue working on her book.

Around the middle of February, 1975, I flew to southern California to spend ten days with Ms. Huey at her home in Carlsbad to begin the final stages of writing and editing. We had a March 15th deadline from our publisher, Quadrangle Books. My husband was planning on flying to southern California to meet me and we planned to travel leisurely up the coast back to Oregon, taking a short vacation before beginning the final stages of work on a book about sports that he was completing for William Morrow.

During the time I spent in Carlsbad, my husband and I were in almost daily telephone contact, and he told me he thought he was being followed around the Portland area. We made no mention of the telephone that I can remember of his going to 1030 221st

at the parents' home, federal agents came to their apartment and served my father-in-law with a subpoena to appear before a federal grand jury in San Francisco.

My husband left Las Vegas on the evening of the 26th, calling me at Ms. Huey's home from the Las Vegas airport to tell me when he would be arriving at the San Diego airport. I borrowed Ms. Huey's car and picked my husband up at the San Diego airport later that evening. We immediately returned to Ms. Huey's residence, dropped off my husband's luggage, and went out to make a phone call at a pay station. Ms. Huey was talking on her phone and my husband had a telephone call to make. As we approached a phone booth about 1/2 block from Ms. Huey's apartment, my husband and I noticed several cars parked along the street with one or two men sitting in them. We were in a residential area and the number of cars parked in the area with men sitting in them seemed peculiar. My husband made his call and then we walked across the street to another phone booth to see how the men in the parked cars would react. A few of the cars started up and one of the cars pulled up right next to the phone booth in which both my husband and I were standing. One of the men, dressed in slacks and a sportcoat, approached the phone booth, and while standing close to the door of the booth pulled back his jacket to reveal to us that he was carrying a pistol in a shoulder holster. He stood there and stared at us for several seconds -- it seemed like a long time to me -- and then returned to his car without identifying himself or saying anything to us.

My husband and I were extremely frightened by this man's behavior and at a loss as to what we should do in response. We walked back to Ms. Huey's apartment, borrowed her car again, and drove away from her home, hoping to keep her from becoming involved in whatever was happening.

As my husband and I drove north from Carlsbad, we noticed that the

Huey's apartment were following us rather closely. Occasionally, one of the cars would pull up right along side of us, and the men in the car would drive along, staring at us for a few minutes before dropping back behind us again.

Eventually we pulled into a bowling alley in Oceanside, California, figuring we were safest in a public place. While sitting at the lunch counter having something to drink and eat, the man behind the cash register pointed at Jack--he didn't call him by name-- and said there was a call for him. He pointed to a telephone on the wall where Jack could take the call. Jack answered the call, and the person on the other end of the line said, "Do you know that there are at least six carloads of FBI and San Diego police following you?" My husband responded that he was aware that some people were following him but that he hadn't known their identity.

The unidentified caller then said he had just wanted to let Jack know what was happening and hung up. Jack returned to the counter and when he went to pay the check, he realized that he had left his wallet in Ms. Huey's car outside the bowling alley. He walked outside to the car to get his wallet and at least two of the men who were following us followed him out. I noticed that several others remained inside with me.

When Jack returned we decided to pass some time by bowling. While we were bowling, the same man called again and this time told Jack that he was a person who owned a citizen's band radio and monitored police calls. He said, "Your name is Jack and you're bowling on lane 16 with a dude named Mickey(sic). The police and FBI are searching your car right now and they have your house surrounded. I don't know what you've done, but be careful." Jack thanked him for the information and hung up.

By this time it was getting quite late and we decided the best thing for us to do was fly to San Francisco in the morning and see an attorney who we had been told to call. We returned to Ms. Huey's apartment and decided to stay.

...tempting to go to sleep, we overheard a friend of Mr. [redacted] go into her apartment, and say that there were a lot of cars and [redacted] parked outside. We became extremely frightened at this point, remembering reports of the scene in Los Angeles less than a year before where the police shot into and burned down a house in which they thought Patricia Hearst might be.

We were relieved when the morning came and we left for the San Diego airport. I noticed that many of the same cars that had followed us the night before were still parked around Mr. [redacted] apartment in the morning and followed us to the airport. Before boarding the plane in San Diego, I arranged a copy of the manuscript I'd been working on in a slightly out-of-order fashion in my suitcase and checked it at the counter. When we arrived in San Francisco and I retrieved my suitcase, I found that the pages of the manuscript were put back in order, indicating that someone had gone through my baggage and examined the manuscript.

On the airplane to San Francisco a man sat directly across the aisle from my husband, "reading" a copy of the book Love. He originally open the book, which appeared to be new, to a page in the middle and never turned a page for the entire trip of approximately 1 and 1/2 hours. He also lit a cigarette even though he was sitting in the "no smoking" section of the aircraft and when I asked him to please put the cigarette out, he told me to "mind my own god damn business."

When we arrived in San Francisco, we rented a car from an agency close to the airport and drove to Oakland, California to see an attorney. As we pulled away from the car rental agency, my husband and I noticed at least two cars with two men in them fall in behind us. My husband was driving very carefully since he did not want to give the people following us any provocation to harm us. As we approached a traffic signal in Berkeley it turned yellow. My husband drove through the yellow light, but the cars following us stopped at the light. The cars then turned right and followed us.

My husband made a right turn and drove for a few blocks, made a few more turns, all within the speed limit, before pulling over to the curb and stopping. We waited there for about ten minutes to see if the men who had been following us were going to find us, and when they didn't, we drove to a parking lot in downtown Oakland, where we left the car. We then took a cab to the office of Mr. Segal, an attorney my husband knew casually. We waited all afternoon for Mr. Segal, but he never returned to his office. While waiting for him, my husband and I discussed what we should do and came to the conclusion that we were being set up for some sort of violent confrontation and that we should do whatever we could to remain out of sight from the FBI. Our decision to avoid our home, family, and friends was a difficult one to make, but it was made out of an intense fear for our lives. We came to believe that our fear was not unfounded when, a few weeks after we had dropped out of sight, stories began appearing in newspapers all around the country connecting my husband and me with alleged members of the SLA and claiming that we had lost an FBI tail in a high speed chase through the streets of Berkeley. I also heard that one newspaper in Cleveland, Ohio ran a headline, "Scotts Armed and Dangerous."

These stories and headlines were reportedly obtained from FBI sources. My husband and I remained out of the FBI's sight from February 27, 1975 until April 9th. During this time, we were constantly fearful for our own safety and angered and frustrated by the reports of constant and heavy-handed FBI harassment of our friends and Jack's parents. It appeared that we were being tried in the press, having been frightened into hiding, with no opportunity to respond in our defense.

The period of time that my husband and I were forced to remain out of sight seriously disrupted our lives and jeopardized our means of making a living. The book I was working on with Ms. Lynda Huey had to be finished by another person, resulting in the loss of my income and the loss of my home.

to my inability to complete the book with Mr. Hurst, and I believe this has irreparably damaged my reputation as a journalist. My husband's work on a book he was writing was disrupted to the extent that he had been forced to cancel the contract and return the advance money already paid. This has also injured his reputation as a writer.

Upon my husband's and my return home in April 1975, we began learning the extent to which the FBI had gone to find us. Besides all the incidents documented in the various affidavits submitted to the court, there was another case of mail interference which was related to me by John Hurst, a professor of education at the University of California at Berkeley, my husband's Ph.D. advisor and a personal friend. While Mr. Hurst was on a trip in March, a friend of his who lived in Colorado and whom he hadn't seen or heard from in seven years, sent him a letter with her return address on the envelope. Within a few days after the letter arrived at Mr. Hurst's home, the FBI visited his friend at her home in Colorado. Mr. Hurst was angered by this invasion of his privacy and told me that there was no way the FBI could have known about this friend or could have found her whereabouts except by intercepting his mail. He had not written or telephoned her in seven years and didn't even know her current address, himself.

Since my husband and I have returned to our home in Portland Oregon, the FBI has continued to harass Jack's parents with continued frequent visits to their home in Las Vegas. Their activities created and maintained a great deal of pressure on us and have made it extremely difficult to continue our work as journalists and photographers.

On July 30, 1975, my husband and I were served with subpoenas to appear before a federal grand jury in Harrisburg, Pa. My subpoena was returnable on August 7th. I contacted an attorney, Margaret Ratner, and arranged to meet with her in New York City on August 3rd. On August 7th we traveled to Harrisburg and appeared at the federal court. Continuance was granted. As we were gathering our papers and before

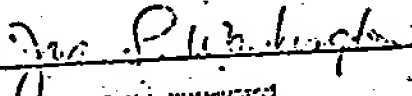
... in the courtroom, the lights were shut off, making it impossible for us to get everything together. Later that day I went to the U.S. Attorney's office in the Harrisburg Federal Courthouse to collect my travel money. Mr. Cottone informed me that I could not be paid for travel since I did not appear before the grand jury. I pointed out that I had responded to a subpoena that demanded that I be in Harrisburg on August 7th and that there was no other conceivable reason why I'd be on the east coast from my home in Portland, Oregon other than to answer the subpoena.

While working hard to prepare our legal case in the short period of time the court gave to us, my husband, his parents, our attorneys, and I were subjected to still another form of harassment by the FBI. They called a press conference late on the evening of August 13, 1975 during which Walter Scott, Jack's older brother and an FBI informant, made some outrageous and untrue allegations about Jack, his parents, and me. These statements caused a tremendous response in the media and we were flooded with calls, making it extremely difficult to continue our legal preparation uninterrupted.

I believe the FBI was aware of the consequences of their actions and that there has been a continual pattern of FBI harassment and intimidation to which my husband, our friends and family, and I have been subjected.


Micki McGee Scott

Sworn To Before Me
This 14th Day of August, 1975.


JOHN L. WASHINGTON
Notary Public, State of New York
My Comm. Expires 12/31/77

L-20-A-61

State of New Jersey
Middlesex County
Highland Park

August 12, 1975

I, Phillip Shinnick, under penalty of perjury declare the following:

On March 4, 1975 two FBI agents (Peter Barnes and an unidentified agent) visited me and in the course of the conversation associated Jack and Micki Scott with criminal conspiracy in relationship to the Hearst case and fugitives from justice.

On March 7, 1975 the same two agents visited me in Highland Park and after I told them that the American Association of University Professors advised me not to talk they asked me how would I like to be subpoenaed before a Grand Jury if I didn't cooperate.

On March 19, 1975 two agents, Peter Barnes and Thomas Burleson, visited my home again and asked if there were anything that I had to say to them. I said that I had nothing to say and they then handed me a subpoena.

On March 21, 1975 Peggy Engel from the Lorraine Journal in Ohio called and asked me if it were true as the FBI told Harold Connolly in Santa Monica that the FBI had finger prints of mine in a farm house in South Canaan, Penn. I have never been in the farm house and to my knowledge visited the city.

The FBI came on campus at least three times according to individuals that contacted me. They visited the Registrar, Ken Geigel, the director of the College Center and were seen by Angelo Figueroa in the school pub. The girls who lived upstairs to my current address reported to have seen agents parked down the block and in the school parking lot. On June 30, 1975 I was terminated from my job as Asst Prof with gross irregularities in University procedures and my salary for the coming year (my last) decreased \$3,000.

Linda Gonzales' mother who lives in Merced, California was visited by agents of the FBI and told that they had reports that Patty Hearst was seen with a Johnny Gonzales (Linda's brother, Ms Gonzales' son). Linda Gonzales resides in the same address as me.

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On Friday March 21, 1975 I telephoned the the Recreation Director at Livingston College, James Smith, from 201 246-8557 to 201 359-7528 and heard over the phones numerous clicks and irregularities. On about the same date I telephoned Cathy Breslin, a New York writer, and heard the same disturbances. This went on from March 19-23, 1975. The last week-end of March I visited Elinor Gersman (my superior at Livingston for the first semester) on Nantuckett. Two weeks later Dr. Gersman told me that the local minister was told by the local police that the State police and FBI had been doing wire taps the week-end of my visit on Nantuckett. During my stay Dr. Gersman's phone kept ringing but when I answered it it continued to ring and made strong noises the three days of my visit. Dr. Gersman said that this was an exception and had never happened before.

At the end of March I received a letter from my sister which seemed to have been opened and about that time Brian Blake (ex-Director of the College Center and student at Harvard), said he had received a note from me which seemed to have been opened.

In late April I met with a Nutrition expert at Cornellin Highland Park to discuss athletics and health. Dr. Clarence-Hopburn was visited at her office in Cornell the next Monday by the FBI.

Phillip K. Shinnick
Phillip K. Shinnick, PhD
August 12, 1975

*State of New Jersey
County of Middlesex
Clarence K. Walker*

Notary Public of New Jersey
My Commission Expires Aug. 26, 1977

State of Pennsylvania }

Dauphin County) . SS.;

BILL WALTON being duly sworn deposes and says:
that I Bill Walton being presently employed by the
Portland Trailblazers of the NBA and a member
member of a collective of which Jackson Mich
Scotts are also members, feel that the outrageous
indignities that the FBI has heaped against
our constitutional and civil rights during their
"investigation" of the whereabouts of Patricia Hearst
can only lead you to one decision. That is one of
total dismissal of all legal actions against the
Scotts and the issuing of an injunction against the
FBI restraining them from harassing the Scotts, the
family and friends in the future about the whereabouts
of Patricia Hearst. Proven criminals must not be
allowed to use their military powers to disrupt or
destroy the lives of honest, peaceful people. This
document will show who the criminals really
are, and will allow you to see all the more than
the one judgment that is open to you.

On January 16, 1975 two FBI agents came
to visit me in Cleveland, Ohio where I was on leave
for the Trailblazers. They were cordial in manner
and they wanted to know if I knew anything
about the kidnapping of Patty or the present
whereabouts. I told them I did not. They

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I have never heard from them since.

which I had lived with for the past few
months. They were mostly indicated in
names and dates and times I don't recall
a picture of celebrating my friends' birthdays
and acquaintances that I could not tell them.
Upon leaving I told the FBI that I
they were investigating the wrong people.
From that point on in the next four months
I was subjected to the investigative techniques
of the famous FBI which consisted mostly
of listening to my telephone conversations to
track down my acquaintances and telling the
lies about my, Jack's, and Mike's actions.
The reason why I feel my phone was tapped
was because of the thousands of friends I
have throughout the country, the only ones
who got tracked and interrogated by the FBI
were the ones that I called on my phone
or who called me, with the exception
of my friends who are considered enemies
of this society and who the FBI always
knew to be friends of mine because of
media exposure of our relationship. The
pattern that developed was that usually
within twenty-four hours of a conversation
over my home phone, the other party
that conversation was visited by the
FBI and told that I was not a good
person to be a friend of and that Jack
Mike were members of the SLA. I
about 1/2 of my friends had. — (continued)

as the first and last of the group
conspicuously was in the middle of the
telephone these people said

The two most obvious examples of this
trip occurred with conversations with his
long time friends, Tommy Curtis and
Zabesche. Tommy and I had had several con-
versations in the past month whenever
he called from Los Angeles and in a very long
conversation said he was coming to see me in
Portland right away. Well, Tommy got to
Portland three days later but it was not
a direct trip. The FBI went to the place
where the phone call was made from (two
women friends of Tommy lived there) and
for Tommy. The women said that he had got
to Portland to visit me but they thought
he could be reached in route in California. The
FBI located Tommy and asked him to come up
to the station for questioning. That lasted
approximately 6 hours in which time the
FBI tried unsuccessfully to convince
Tommy into believing we were criminals
while they were portraying good people from
us. What they didn't realize was that
it takes a hell of a lot more than
six hours to erase the knowledge a black
man has gained from living 23 years in
a racist society.

Have Zabesche and I have been friends for

six years now and also we are not

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and I was sure and I was sure and I was sure
conservative mind, without going into it. I
that things were pretty hot around here and
nowhere that he could be repeating it
from some sort to finally follow. Sometime
in the future. Sure enough we were not
stood up for the FBI was at home
don't think they're morning. There
is well aware of the political situation
in this country so he was not sorry
in the least by the loss of the
government police.

By this time the FBI wanted to talk
to me and Susan Hunt (we were living together
at the time) about some more facts. We
reluctantly agreed but only in the
presence of our attorney, Charles Brown.
Time around matter of asking if we knew
of any involvement of any of our firm
with the S.L.A. the FBI were telling us
that Jack and Mark were involved and
they had evidence to prove it. They also
had completely changed my answers from
the first interview and I had to correct
them on most of their information. Further
they kept insisting that I knew what
was going on and that I knew who was
possibly giving some information
I talk to you as I did before. That I
know what they were claiming to be —

They should approach and identify them in
San Clemente just waiting for justice.
Later on, FBI agents attempted to
procure some members of Susan's family
to convince her to talk to them alone, with
one or Charles Barry present. Susan's
refusance was the belief. She felt the
FBI would be fooled to try believe anyone
who kept changing their story according to
the company they kept. Susan was begin-
ning to realize that the FBI only believed those
who told them the information that they
wanted to hear.

These events, plus others in affiliation
also being presented here today of which I
am fully aware, have led me to the
conclusion that it is the FBI not the
Scots who should be under investigation.
It is the FBI's action disregard and
disregard for the law that has created
the revolutionary situation, of which the
SLA is only an outgrowth, that we all
live in today. It is ironic that we must
turn to the U.S. Department of Justice
for a redress of grievances because their
policies and actions do not seek true
justice but rather the continuation of
economic warfare against the people of
the world.

Bill W.

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P-5

AFFIDAVIT

State of Pennsylvania)
County of Philadelphia)

SS.:

Hilda L. Weiner, being duly sworn, depose and says:

I am an accounts payable clerk and mother of Jay Weiner, who is a friend of both Micki Scott and Jack Scott.

1.) On March 3, 1975, FBI agents Rack and Carroll visited our home in Philadelphia. Rack did almost all of the talking. Rack said he had from a reliable source that my son, Jay, was deeply involved in either the harboring or transporting or financing of fugitives Fatty Hearst, Emily Harris, William Harris and, possibly, Werdie Yoshimura. I wondered how Jay could finance any fugitives since he has no money. Rack said Jay knows where Fatty Hearst is. Rack said that Jack Scott was involved in bombings in California a few years back and he said that another friend of Jay's was involved in sedition in England. Rack told Jay not to associate with Jack Scott or any of Jack Scott's friends. Rack talked about the "bad influence" Jack Scott had on Jay. Rack said that Jack Scott and his friends are "dangerous" and that Jay should stay away from them. He said that Jack Scott's parents were involved with Jack Scott's activities because "they owed a favor to him." He said he was sure that Jack Scott helped the fugitives.

2.) On March 11, 1975, FBI agents Rack and Carroll returned to our home. They didn't stay long, but they sat in the dining room. Rack told us, "We still believe that Jay is deeply involved. We have new information." He asked if my husband and I knew that Jack Scott had visited Cuba. We did. He asked if we knew that Jack Scott wears a red star in his lap.

Hilda L. Weiner

Hilda L. Weiner

August 12, 1975

Sworn to and subscribed before me
this 12th day of August, 1975

[Signature]
Notary Public, Philadelphia, Philadelphia Co.
My Commission Expires August 22, 1976

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R-1

AFFIDAVIT

State of Pennsylvania)

County of Philadelphia)

ss.:

Samuel Weiner, being duly sworn, depose and says:

I am a meat cutter and father of Jay Weiner, who is a friend of both Micki Scott and Jack Scott.

1.) On February 26, 1975 at 8:30 in the morning, FBI agents Rack and Carroll visited our home in Philadelphia and asked to speak with my son, Jay Weiner. I woke Jay. After meeting them, he said he didn't want to talk with them, and he asked them to leave. They got up right away, but before leaving I remember Rack turned to us and said, "We have other ways of getting it out of you."

2.) On March 3, 1975, FBI agents Rack and Carroll visited our home again. Rack did all of the talking. Rack said that Jay was deeply involved in either the harboring or transporting or financing of fugitives. Rack said that Jack Scott was involved in bombings in California a few years ago and he said that another friend of Jay's, Paul Hoch, was involved in seditious activity in England. Rack told Jay not to associate with Jack Scott or any of Jack Scott's friends. Rack talked about the bad influence Jack Scott had on Jay. Rack said that Jack Scott and his friends are "dangerous" and that Jay should stay away from them. He said he was sure that Jack Scott helped the fugitives.

3.) On March 17, 1975 FBI agents Rack and Carroll returned. They stayed for a short time, but Rack said, "We still believe that Jay is deeply involved. We have new information." He wondered if we knew that Jack Scott had been to Cuba. We knew. He said that Jack Scott wears a red star in his cap.

4.) On April 1, 1975, Rack left a card in the front door of our house which asked me to call him at his office. When I called, Rack said that he wanted to "get inside Jay's brain." He said he wanted to talk with me again. I told him to call Jay's attorney. Two days later Jay was subpoenaed again.

Samuel Weiner
Samuel Weiner

August 12, 1975

Sworn to and subscribed before me
this 12th day of August 1975

John P. Chasney
Notary Public, Philadelphia, Philadelphia Co.
My Commission Expires August 26, 1976

AFFIDAVIT

State of Pennsylvania)
County of Philadelphia) ss.:

Jay Weiner, being duly sworn, depose and says:

I am a free-lance sports journalist and a friend of both Micki McGee Scott and Jack Scott.

1.) On February 26, 1975, FBI agents visited my parents' home in Philadelphia, where I was then living. They called at 8:30 in the morning. I met them but refused to answer any questions. I asked the agents, Rack and Carroll, to leave. Before leaving Rack turned to me and my father and said, "You know what this can do to Jay's career. You know what this can do to your family. We have other ways of getting information." I assumed "this" referred to my legal right not to cooperate.

2.) On February 27, 1975, during an interview with agents Rack and Carroll in their downtown Philadelphia office, agent Rack suggested that Jack Scott and Micki McGee-Scott were, in some way, connected with the assassination of Marcus Foster. In questioning me, Rack asked my feelings about violence. He then reiterated an earlier claim that "two sources" had told the FBI that Jack Scott had harassed, transported or financed the flight of fugitives. He said, "That Foster murder sure didn't make any sense. What do you think Jack thought of that?"

3.) On March 3, 1975, agents Rack and Carroll visited my parents' home in Philadelphia. At that time they questioned me about my two year long correspondence with Willie Brandt, a political prisoner in California's Soledad Prison. Agent Rack said that Jack Scott was involved in bombings in California to which Willie was linked. Rack said, however, that "nothing was proved."

4.) During that same March 3 interview, after producing a photo of a house in what he said was Homestead, Pennsylvania, agent Rack said he was "sure" that fugitives Patty Hearst, Emily Harris and William Harris stayed at the house. He said that Jack Scott's parents were somehow involved because they owed him a favor.

5.) On March 3, Rack mentioned "a loose association of friends" of mine. After discussing Jack Scott, Micki Scott, William Brandt, Phil Shirnick, Paul Moon and others - - all friends and/or teachers of mine - - Rack said, "I suggest you not associate with these people anymore. It would be to your advantage not to."

6.) The agents, on March 3, called the above-mentioned friends "dangerous people".

7.) On the night of March 8, 1975 I received a phone call from Cass Jackson, a friend who lived in Oberlin, Ohio where I was then visiting other friends. Cass invited me over to his office at Oberlin College. He said that the night before FBI agents questioned him for about three hours asking lots of questions, including some about me. Cass Jackson said that he asked me over to his office because the FBI agents told him that if anybody about whom they questioned him was in his house they (the FBI agents) would consider Cass one of the "suspects" and the agents couldn't guarantee what would happen. Cass Jackson told me he believed they would shoot Micki Scott, Jack Scott, any of the fugitives and, possibly, me.

8.) On the night of March 11, 1975 I was apprehended by three FBI agents in Oberlin, Ohio. I was subpoenaed, denied a lawyer and directed/kidnapped to the Security Office of Oberlin College where agents threatened me with their guns. My apprehension involved the cutting off of my car in the middle of Ohio Route 10 by an FBI car. Flashlights were shined on me and all three agents spoke at me at once, persuading me not to return to Philadelphia immediately - - which I said I wanted to do - - and not to have a lawyer - - which I repeatedly requested. I was told I would not incriminate myself. While the confusion grew, one of the agents (the shortest of the three who I believe is Barkley) entered the passenger seat of my Volkswagen. He told me to follow the FBI car and we then proceeded to the security office. That office was apparently sealed off at the direction of agent Hirz. (The third agent's name is Barkley.) Prior to my answering any questions I continued to request an attorney. Agent Barkley stood, removed his jacket, flashing his shoulder holster and gun at me. He smiled, pointed to his gun and said, "Does this intimidate you Jay?" Hirz, too removed his coat, showing his gun. They then started asking questions. I was terribly frightened and answered.

Jay Weiner
Jay Weiner

August 12, 1975

Sworn to and subscribed before me
This...*12th* day of *August*, 1975

Malvin Ch...f

Notary Public, Philadelphia, Philadelphia Co.
My Commission Expires August 22, 1976

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AFFIDAVIT ATTESTING TO A DEATH THREAT AGAINST THE
UNDERSIGNED MADE BY A SO-CALLED OFFICER OF THE LAW

December 15, 1975

1 On Wednesday, September 15, 1975, at approximately
2 10:00 PM, I was held captive in chains inside a San Mateo
3 County sherriff's unmarked station wagon at the San Fran-
4 cisco International Airport. The exact location was be-
5 neath and below the left front of a boarding Hughes Air
6 West flight to Los Angeles. At this time, shortly after
7 arriving at the San Francisco International Airport, I was
8 being held in the back seat of the sherriff's car and ac-
9 companied by two San Mateo County sherriff's dept. person-
10 nel, one of whom may have been the sherriff himself and the
11 other an unidentified plainclothes officer; an unidentified
12 plainclothes member of the Los Angeles Police Department
13 Criminal Conspiracy Section (now called the Public Disorder
14 Intelligence Division, which is, in fact, a euphemism for
15 political police or red squad) and Sergeant Raymond Calla-
16 han of the Los Angeles Police Department Criminal Conspir-
17 acy Section (now P.D.I.D.). The two San Mateo County sher-
18 riffs officers were in the front seat, Sgt. Callahan sat
19 next to me in the back seat, and the other unidentified
20 L.A.P.D. officer sat behind us in the rear area of the sta-
21 tion wagon. Each of these individuals, except for myself,
22 were armed with hand guns. The unidentified member of the
23 L.A.P.D. was additionally armed with a sawed-off 12 gauge
24 shotgun, loaded with either 00 buckshot or lethal rifled
25 slugs. Within approximately 5-10 minutes ^{prior to} of boarding the
26 airplane, the above mentioned police officers, excluding
27 Sgt. Ray Callahan, exited the station wagon and took up
28 positions around and in the immediate vicinity of said
29 station wagon. Sgt. Callahan remained seated next to me
30 in the back seat of the station wagon. During this time I
31 was hand cuffed with my hands behind my back. Shortly be-

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1 fore being told to exit the station wagon and board the
2 above mentioned airplane, and while I was un-armed and hand
3 cuffed behind my back, Sgt. Ray Callahan, in the presence of
4 no other witness, did say to me with malice, "Now listen, and
5 listen good. If you get any more than five steps ahead of me,
6 I will kill you!" This was not said in a way of giving "friend-
7 ly" advice or direction regarding the imminent move to the
8 above mentioned airplane. Considering the massive amount of
9 weaponry and large number of police officers present, and con-
10 sidering my un-armed and defenseless state, it was clear to
11 me that this threat was unnecessary to insure my good behavior;
12 and quite possibly was in reality a sign of Sgt. Callahan's
13 wish or intention to shoot and kill me without real provo-
14 cation.

15 I, WILLIAM TAYLOR HARRIS, do swear, upon penalty of per-
16 jury, that all the above, to the best of my knowledge, is
17 true.

18
19 signed 
20

21 December 17, 1975
22
23
24
25
26
27
28
29
30

1 //
2 //
3
4 DECLARATION NUMBER ONE OF EMILY HARRIS
5


6 I, Emily Harris, declare under penalty of perjury that
7 the following is true and correct:
8

9 I am a defendant in the above-entitled case.
10

11 My parents, Frederick W. Schwartz and Emily M. Schwartz,
12 received a personal letter from me on February 2, 1974. The nature
13 of the letter upset them, and they sought advice from a friend who
14 later suggested they go to the FBI. At first my parents just dis-
15 cussed the contents of the letter, but then for clarity's sake they
16 allowed Special Agent Ed Kinzer to read the letter and to make
17 copies on or about February 13, 1974.
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19 As my father wrote me in a letter, "We were never assured
20 of confidentiality, but we certainly expected that, because of its
21 highly personal nature, its distribution would be limited to those
22 who had a need to know. We certainly were shocked when extracts
23 appeared in the press and I'm sure our local contacts were as dis-
24 tressed as we were by the leaking of the contents, especially ver-
25 batim."
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27 DATED:

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EMILY HARRIS
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DECLARATION NUMBER TWO OF EMILY HARRIS

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I, Emily Harris, declare under penalty of perjury that the following is true and correct:

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I am a defendant in the above-entitled case.

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That besides the inconvenience of our mail taking a week or more to get to us, we are outraged with several instances of outright tampering that violates our right to correspond with any person we wish. Four letters from a John Long of the Arizona Daily Star have never reached us. We do not know how many other people have also written and have not gotten through.


Another incoming letter came to us with a mysterious powder dusted over various edges of the letter. We are suspicious that this letter may have been dusted for fingerprints and that the powder is a chemical to bring out the prints. In regard to outgoing mail, I (Emily M. Harris) enclosed a typewritten letter to Bill's (William T. Harris) mother, Betty Bunnell, in an envelope in which Bill was also sending a letter. Jail regulations necessitate that all outgoing mail be turned over to jail personnel unsealed. Somewhere from the time those two letters in one envelope left Bill's hands on or about December 1, 1975, until the envelope got to his mother, the letter written by myself was removed and never put back in the envelope. All that arrived at the residence of Betty Bunnell was the letter written by Bill Harris.

In addition, at least one letter to a Jeanne Cordova never

1 reached its destination, although it was mailed on or about Novem-
2 ber 25, 1975.

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4 DATED:


EMILY HARRIS

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PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

v.

EMILY HARRIS,
WILLIAM HARRIS,

Defendants.

AFFIDAVIT OF DOUGLAS R. BAILEY

STATE OF CALIFORNIA

CITY AND COUNTY OF SAN FRANCISCO

ss.

DOUGLAS R. BAILEY, affiant, being first duly sworn under oath,
states the following:

I was arrested on May 28, 1974 on a warrant issued from San Luis Obispo County by San Francisco Police (Intelligence Division), California Department of Justice, with the F.B.I. also present. The charges, felonies, §§ 4571 and 4570.5 of the Penal Code, amounted to trespassing on state prison property.

This arrest took place as I walked on the 600 block of Sutter

1 Street in San Francisco. I was handcuffed and taken directly to the San
2 Francisco Hall of Justice at 850 Bryant Street. But instead of being placed
3 in the awaiting cells of the City Prison, I was involuntarily taken to a
4 room in the Hall of Justice for questioning, without my permission. Without
5 an attorney present, despite my request for such attorney, I was questioned
6 for about 45 minutes by the above-mentioned state employees on the whereabouts
7 of the Symbionese Liberation Army and Patricia Hearst.

8 Various methods were used to provoke a response from me, including
9 friendly, meaningless questions, provoking questions, such as individuals in
10 an organization I was a member of were engaged in illegal activities, and that
11 one person was stealing the organization's funds, and that the organization
12 didn't support me. As these state employees read out loud names of women
13 friends from my address book, they made a point of saying how ugly they
14 thought certain women were. Next said state employees attempted to bribe
15 me with "more money than you can count," and release from jail, and then
16 threatened me with a parole violation and return to prison. Said state
17 employees also said that even if I didn't have the information they wanted,
18 they would retaliate by putting me in prison anyway. When all this didn't
19 produce a response from me, while still handcuffed and sitting in a chair
20 they began slapping me against a back wall, stopping only to click an empty
21 gun in my face, like a game of Russian roulette.

22 After said state employees realized that I was not going to respond
23 to their tactics, I was led from the room to the booking area of the jail.
24 My parole officer then showed up, and a \$25,000 bail was placed on me.

25 The next day someone from the California Department of Justice
26 tried to hold a "conversation" with me, but gave up after a few moments.

1 Over a week passed, without appearing in court, and I was told
2 that I was to be transferred to the County of San Luis Obispo about 200 miles
3 south, where the complaint stemmed from. But instead of the transfer south,
4 I was placed in a Sheriff's plane and flown north to a county jail in Visalia,
5 California. In that county jail I was placed in a twelve-man tank.
6 Immediately an argument broke out between myself and the other prisoners about
7 the Syrbionese Liberation Army and "nigger lovers." Finally, after arguing
8 for about an hour, I was told that my fellow inmates decided not to "rat-pack"
9 me because they respected me for speaking out. Later that night I was told
10 by other prisoners that just prior to my being placed in the twelve-man tank,
11 a guard had a conversation with my fellow prisoners and told them that the
12 Syrbionese Liberation Army and the "Zebra" killers are the same group, and
13 that I was connected to the killings of white people, thus creating an
14 unpredictable racial situation.

15 The next morning I was again put on a Sheriff's plane and flown to
16 San Luis Obispo, and was not questioned again until after the court dropped
17 all charges. At this time one F.B.I. agent claimed I was having sex with
18 Emily Harris when Bill Harris wasn't there, and that I would no doubt be
19 subpoenaed before the grand jury (which never happened). Again I refused
20 to answer or respond, but I was released about a week later on September 13,
21 1974. The above ordeal lasted for approximately four months.

22 Your affiant, being first duly sworn under oath, presents that
23 I have subscribed to the above and state that the information therein is true
24 and correct, to the best of my knowledge and belief.
25 //
26 //

1 Executed this 16th day of January, 1976, in the City and County of
2 San Francisco, State of California.

3
4 *Douglas R. Bailey*
5 DOUGLAS R. BAILEY
6

7 SUBSCRIBED AND SWORN TO
8 before me this 16th day
9 of January, 1976.

10 *Nancy E. Grant*
11 Notary Public
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1 MARK ROSENBAUM
2 FRED OKLAND
3 JILL JAMES
4 MARY ELLEN GALE
5 VIRGINIA SLOAN
6 ACLU Foundation of Southern California
7 633 South Shatto Place
8 Los Angeles, California 90005
9 Telephone: (213) 437-1720

10 LEONARD I. WEINGLASS
11 RUTH ASTLE
12 2025 Avon Street
13 Los Angeles, California 90026
14 Telephone: (213) 748-6100

15 Attorneys for Plaintiffs,
16 EMILY HARRIS and WILLIAM HARRIS

17 UNITED STATES DISTRICT COURT
18 CENTRAL DISTRICT OF CALIFORNIA

19 EMILY HARRIS, WILLIAM HARRIS,

20 Plaintiffs,

21 -vs-

22 CHARLES W. BATES,
23 Special Agent in Charge,
24 F.B.I., San Francisco, California;
25 ROBERT E. GERHARDT,
26 Assistant Director in Charge,
27 F.B.I., Los Angeles, California;
28 CLARENCE KELLEY,
29 Director, F.B.I.;
30 L. STEELE LANGFORD,
31 Chief, Criminal Division, U.S.
32 Attorney's Office, San Francisco,
California;
JAMES D. BROWNING, JR.,
Assistant U.S. Attorney, San Francisco,
California;
ROBERT L. STEVENSON,
Public Relations Officer, Justice
Department, San Francisco, California;
ERIC A. NOBLES,
Chief, Criminal Division, U.S.
Attorney's Office, Los Angeles,
California;
DEWAYNE RYESS,
U.S. Attorney, Sacramento, California;
JOHN HOWARD,
Acting District Attorney, County of
Los Angeles, June 27-October 14,
1975;

No.

CIVIL RIGHTS
COMPLAINT FOR
DAMAGES, INJUNCTIVE AND DECLARATORY RELIEF,
DEMAND FOR JURY

1 JOHN VAN DE KAMP,
District Attorney of
2 Los Angeles County;
3 SAMUEL MAYERSON,
Deputy District Attorney,
Los Angeles County;
4 WILLIAM B. SAKBE,
Attorney General of the U.S.,
5 January 4, 1974 - February 6, 1975;
6 EDWARD DAVIS,
Chief of Police, Los Angeles
Police Department;
7 DONALD H. SCOTT,
Chief of Police, San Francisco
Police Department;
8 DON HANSEN,
Assistant Inspector, Inspectors'
9 Bureau, San Francisco Police
Department;
10 GARY KERN,
Inspector, Inspectors' Bureau,
11 San Francisco Police Department;
12 JOHN M. PRICE,
District Attorney, Sacramento
13 County;
14 GEOFFREY BURPOUGHS,
Chief Deputy District Attorney,
Sacramento County;
15 GARY BRODA,
Officer, Los Angeles Police Dept.;
16 JAY R. STROH,
Chief of Police, Inglewood,
17 California;
18 EDWARD LEVI,
Attorney General of the U.S.,
19 EARL WHITMORE,
Sheriff, San Mateo County;
20 EVELLE YOUNGER,
Attorney General, State of
California;
21 SAMUEL WILLIAMS,
Commissioner, Board of Police
22 Commissioners, City of Los Angeles;
23 Defendants.

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1 The plaintiffs, by and through their attorneys, allege as
2 follows:

3 INTRODUCTION

4 1. This is a civil rights action for money damages, for
5 declaratory and injunctive relief, and for a writ of mandamus
6 against federal and state officials to redress the deprivation
7 of rights, privileges, and immunities secured to the plaintiffs
8 by the Constitution and laws of the United States. More
9 specifically, this action seeks relief with respect to defendants'
10 past and continuing practice of releasing incriminating, strongly
11 implicative, and highly prejudicial leads, information and
12 gossip to members of the press and the media with the specific
13 intent and effect of infringing plaintiffs' right to a fair trial.
14 Further, this action also seeks relief with respect to other
15 unconstitutional and tortious acts of harassment, intimidation,
16 and misconduct taken by defendants against plaintiffs.

17 JURISDICTION

18 2. This Court has jurisdiction over this suit under 28
19 U.S.C. §§ 1331, 1343, and 1361.

20 3. This suit arises under the Constitution of the United
21 States, particularly the First, Fourth, Fifth, Sixth, Eighth,
22 Ninth, Tenth, and Fourteenth Amendments thereto.

23 4. This suit also arises under the laws of the United
24 States, and particularly 42 U.S.C. §§ 1983, 1985, 1986, and
25 1988, and the provisions of Title 18 of the United States Code,
26 including 18 U.S.C. §§ 2510-20.

27 5. The amount in controversy in this suit exceeds \$10,000,
28 exclusive of interest and costs.

29 PARTIES

30 Plaintiffs

31 6. Plaintiffs Emily and William Harris are citizens of the
32 United States and the State of California. Plaintiffs herein ver.

1 named defendants with Patricia Hearst, in charges filed by way of
2 criminal complaint on May 22, 1974, by then Los Angeles District
3 Attorney Joseph P. Busch, consisting of eighteen felony counts in-
4 cluding charges of assault with intent to commit murder, assault
5 with a deadly weapon, robbery, unlawfully taking a vehicle, and
6 kidnaping. On October 2, 1975, said charges were superseded by an
7 eleven count indictment returned by the Los Angeles County Grand
8 Jury charging plaintiffs with kidnaping for the purpose of
9 robbery, assault with a deadly weapon, armed robbery, and kidnaping.

10 Defendants

11 7. Defendant Charles W. Bates is now and has been at all
12 times material herein Special Agent in Charge of the Federal
13 Bureau of Investigation in San Francisco, California.

14 8. Defendant Robert E. Gebhardt is now and has been at all
15 times material herein Assistant Director in Charge of the Federal
16 Bureau of Investigation, Los Angeles, California.

17 9. Defendant Clarence Kelley is now and has been at all
18 times material herein Director of the FBI.

19 10. Defendant L. Steele Langford is now and has been at all
20 times material herein Chief of the Criminal Division of the
21 United States Attorney's Office in San Francisco, California.

22 11. Defendant James L. Browning, Jr., is now and has been
23 at all times material herein Assistant United States Attorney
24 in San Francisco, California.

25 12. Defendant Robert L. Stevenson is now and has been at
26 all times material herein public relations officer for the
27 Justice Department in San Francisco, California.

28 13. Defendant Eric A. Nobles is now and has been at all
29 times material herein Chief of the Criminal Division of the U.S.
30 Attorney's Office in Los Angeles, California.

31 14. Defendant Dwayne Keyes is now and has been at all times
32 material herein U.S. Attorney in Sacramento, California.

1 15. Defendant John Howard was acting District Attorney for
2 County of Los Angeles from June 27 through October 14, 1975.

3 16. Defendant John Van de Kamp has been District Attorney
4 for the County of Los Angeles since October 15, 1975.

5 17. Defendant Samuel Mayerson is now and has been at all
6 times material herein Deputy District Attorney for the County of
7 Los Angeles.

8 18. Defendant William B. Saxbe was Attorney General of the
9 United States from January 4, 1974 through February 6, 1975.

10 19. Defendant Edward Davis is now and has been at all times
11 material herein Chief of Police of the Los Angeles Police
12 Department.

13 20. Defendant Donald H. Scott is now and has been at all
14 times material herein Chief of Police of the San Francisco
15 Police Department.

16 21. Defendant Don Hansen, is now and has been at all times
17 material herein an Assistant Inspector with the Inspectors'
18 Bureau of the San Francisco Police Department.

19 22. Defendant Gary Kern is now and has been at all times
20 material herein an Inspector with the Inspectors' Bureau of the
21 San Francisco Police Department.

22 23. Defendant John M. Price is now and has been at all
23 times material herein the District Attorney for Sacramento County.

24 24. Defendant Geoffrey Burroughs is now and has been at all
25 times material herein Chief Deputy District Attorney for Sacra-
26 mento County.

27 25. Defendant GARY BRODA is now and has been at all
28 times material herein an officer of the Los Angeles Police Dept.

29 26. Defendant Jay R. Stroh is now and has been at all
30 times material herein Chief of Police of Inglewood, California.

31 27. Defendant Edward Levi is now and has been at all
32 times material herein Attorney General of the United States
33 since February 7, 1975.

1 28. Defendant Earl Whitmore is now and has been at all times
2 material herein Sheriff of San Mateo County.

3 29. Defendant Evelle Younger is now and has been at all
4 times material herein Attorney General of the State of California.

5 30. Defendant Samuel Williams is now and has been at all
6 times material herein Commissioner of the Board of Police
7 Commissioners of the City of Los Angeles;

8 31. The defendants identified in vs 7 through 30 above are
9 sued herein in their official or former official and individual
10 capacities.

11 32. Other officials, officers, employees, members and agents
12 of the U.S. Attorney's Offices in Los Angeles, San Francisco,
13 and Sacramento, the FBI, the Police and Sheriff Departments of
14 Los Angeles, San Francisco, Sacramento, San Mateo County and
15 Inglewood, the District Attorney's Offices of Los Angeles and
16 Sacramento, the Department of Justice, the State Attorney General
17 Office, and other local, state and federal governmental agencies
18 engaged in the conduct described hereinafter, but the plaintiffs
19 do not know at this time their identities. The plaintiffs here-
20 by reserve the right to amend this complaint and to make said
21 individuals named defendants at such time as their identities
22 are ascertained.

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FIRST CAUSE OF ACTION

33. This is a cause of action to redress the deprivation of rights, privileges, and immunities secured to the plaintiffs by the Constitution and laws of the United States.

34. This cause of action is authorized by the First, Fourth, Fifth, Sixth, Eighth, Ninth, Tenth and Fourteenth Amendments to the Constitution of the United States, by 18 USC §52510-2520, and by 42 USC §1983.

35. On May 20, 1974, the office of the United States Attorney in Los Angeles filed complaints against plaintiffs Emily and William Harris and Patricia Hearst alleging illegal possession of automatic weapons in connection with an alleged shootout in Inglewood on May 16, 1974. Said complaints have been dismissed without prejudice, but, based upon information and belief, substantial likelihood exists that ^{these} federal charges will be refiled against plaintiffs.

36. On May 22, 1974, plaintiffs Harris and Patricia Hearst were charged by indictment by then Los Angeles District Attorney Joseph P. Busch with eight felony counts including charges of assault with intent to commit murder, assault with a deadly weapon, robbery, unlawfully taking a vehicle, and kidnaping.

37. On September 18, 1975, plaintiffs Harris, and Patricia Hearst and Wendy Yoshimura, were arrested by agents and employees of the FBI and San Francisco Police Department in San Francisco.

38. On October 2, 1975, a superseding indictment of eleven counts was returned by the Los Angeles County Grand Jury charging plaintiffs Harris, and Patricia Hearst, with kidnaping for the purpose of robbery, assault with a deadly weapon, armed robbery, and kidnaping for the purpose of robbery, assault with a deadly weapon, armed robbery, and kidnaping. This case is presently set for trial on February 2, 1976 in the courtroom of the Honorable Mark Brandler in Los Angeles Superior Court, case no. A321099.

1 9. Each of the defendants, their agents and employees and
2 those acting in concert with them participated in and/or committed
3 caused and/or promoted the conduct set forth below under the
4 color and pretense of federal, state and local law, to wit, the
5 statutes, ordinances, rules, regulations, rulings, customs,
6 usages, practices, policies and/or authority of the United States,
7 the District of Columbia, the 50 states, particularly the State
8 of California, the City and County of Los Angeles and/or their
9 departments, agencies, and offices.

10 40. At all times material herein, each of the defendants, their
11 agents and employees and those acting in concert with them
12 specifically intended to and did unlawfully, wilfully, knowingly,
13 corruptly, maliciously, discriminatorily, arbitrarily, and in
14 bad faith abrogate, usurp and misuse the power, authority, offices
15 resources and jurisdiction of the government of the United States,
16 the District of Columbia, the 50 states, particularly the State
17 of California, the City and County of Los Angeles, and/or their
18 departments, agencies and offices.

19 41. At all times material herein, the defendants, their agents
20 and employees and those acting in concert with them acted palpably
21 and manifestly outside their lawful jurisdiction and discretion,
22 the lawful scope of their authority and their lawful line of
23 duty.

24 42. Each of the defendants, their agents and employees and
25 those acting in concert with them participated in and/or committed
26 caused and/or promoted the conduct set forth below in the Central
27 District of California or knew or reasonably should have foreseen
28 that said conduct would take place or cause effects upon plain-
29 tiffs in the Central District of California.

30 43. Beginning on or about May 20, 1974 and continuing through
31 the present, defendants and each of them, and their agents,
32 /

1 employees, and those acting in concert with them, whose identities
2 are presently unknown to the plaintiffs, did unlawfully, wilfully,
3 knowingly, corruptly, maliciously, discriminatorily, arbitrarily,
4 in bad faith and contrary to their own standards, guidelines,
5 rules, and regulations release, communicate, and disseminate
6 incriminating, strongly implicative, and highly prejudicial leads,
7 information, and gossip to members of the press, local and
8 national television and radio, and other media with the specific
9 intent to infringe and impair plaintiffs' right to a fair trial.

10 44. Beginning on or about May 20, 1974, and continuing
11 through the present, defendants and each of them, and their
12 agents, employees, and those acting in concert with them, whose
13 identities are presently unknown to the plaintiffs, did unlawfully
14 wilfully, knowingly, corruptly, maliciously, discriminatorily,
15 arbitrarily, in bad faith and contrary to their own standards,
16 guidelines, rules, and regulations release, communicate, and
17 disseminate incriminating, strongly implicative, and highly
18 prejudicial leads, information, and gossip to members of the
19 press, local and national television and radio, and other media
20 which has infringed and impaired and continues to infringe and
21 impair plaintiffs' right to a fair trial.

22 45. Said leads, information and gossip have been and continue
23 to be released, communicated, and disseminated by defendants and
24 each of them in and about the City and County of Los Angeles, as
25 well as throughout California by means of the press, local and
26 national television and radio, and other media including but not
27 limited to the Los Angeles Times, Los Angeles Herald-Examiner,
28 San Francisco Chronicle, San Francisco Examiner, New York Times,
29 Chicago Tribune, Time, Newsweek, and the Rolling Stone.

30 46. Persons in and about the City and County of Los Angeles
31 who comprise members of the jury panel for said trial scheduled to
32 begin February 2, 1976, and, further, who comprise members of
33 future jury panels in any subsequent federal and state criminal

1 trials taking place for which plaintiffs will be criminal defen-
2 dants in the City and County of Los Angeles have read, seen, heard
3 and been informed of said leads, information, and gossip. Conse-
4 quently, plaintiffs' constitutional right to a fair trial has been
5 and continues to be impaired and infringed in that defendants'
6 conduct has impaired and infringed and continues to impair and
7 infringe plaintiffs' ability to obtain an impartial jury, a
8 speedy trial, and a trial held in the County of Los Angeles.

9 47. Because of defendants' desire that plaintiffs not be
10 tried merely upon evidence properly adduced at trial, but rather
11 as notorious figures unworthy of constitutional protections
12 guaranteed to all citizens, because of defendants' disdain for
13 plaintiffs' political and personal philosophies, and because of
14 the public discredit and ridicule sustained by defendants as the
15 result of their inability to capture plaintiffs over a period of
16 nineteen months, defendants and each of them have released,
17 communicated, and disseminated said leads, information and
18 gossip with the specific intent of arousing public prejudices
19 against plaintiffs.

20 48. Defendants and each of them have released, communicated,
21 and disseminated said leads, information, and gossip with the
22 effect of arousing public prejudices against plaintiffs.

23 49. Defendants and each of them have released, communicated,
24 and disseminated said leads, information, and gossip in concert
25 with one another.

26 50. Said leads, information, and gossip include but are not
27 limited to the following news items set forth below which have
28 been disseminated to the general public and which directly or
29 indirectly associate plaintiffs with crimes for which they have
30 never been formally charged or indicted:

31 a. The murder of LAPD officer Michael Edwards. Officers,
32 agents, and employees of the Los Angeles Police Department

1 released or leaked information which associated plaintiffs Harris
2 and Patricia Hearst with the May 11, 1974 slaying of LAPD officer
3 Michael Edwards. The resulting release or leak produced news
4 items which included a prominently carried article in the Los
5 Angeles Times under a headline entitled "LAPD Seeks To Link SLA,
6 Police Deaths." (Exhibit A);

7 b. The murder of Union City Police Chief William Cann
8 Defendant Bates, his agents and employees released or leaked
9 information which associated plaintiffs Harris with the sniper
10 murder of Union City Police Chief William Cann. The resulting
11 release or leak produced news items which included a prominently
12 carried article in the Los Angeles Times under a headline entitled
13 "Attorney Issue Delays Harris' Arraignment." (Exhibit B);

14 c. The shotgun murder of Myrna Opsahl, a female customer
15 during the course of a robbery. Agents of the FBI, defendant
16 Keyes, defendant Burroughs, and agents, officers, and employees
17 of the Sacramento Police Department released or leaked information
18 which associated plaintiffs Harris with the shotgun murder of
19 Myrna Opsahl during the course of an armed robbery at the Crocker
20 National Bank in Carmichael. The resulting release or leak pro-
21 duced news items which included a prominently carried article in
22 the Los Angeles Times under a headline entitled "Patty Hid Out
23 3 Months In Sacramento." (Exhibit C);

24 d. The murder of prominent prison reformer Wilber (Popeye)
25 Jackson and school teacher Sally Vote. Defendant Bates, his agents
26 and employees, and officers of the San Francisco Police Department
27 released or leaked information which associated plaintiffs Harris
28 with the murders of "Popeye" Jackson, prominent prison reformer,
29 and Sally Vote, a school teacher. The resulting release or leak
30 produced news items which included a prominently carried article
31 in the Los Angeles Times under a headline entitled "Direct Hearst
32 Link To Killing Denied." (Exhibit D);

1 e. The assassination of Oakland school superintendent
2 Marcus Foster. Defendants Bates, Keyes, Davis, Mayerson, Williams
3 their agents, and agents, officers and employees of the FBI, San
4 Francisco Police Department and Los Angeles Police Department
5 released or leaked information which associated plaintiffs Harris,
6 in part by and through their public identification with the SLA
7 by defendants, with the assassination of Oakland school superin-
8 tendent Marcus Foster. The resulting release or leak produced
9 news items which included a prominently carried article in the
10 Los Angeles Times under a headline entitled "SLA Plan To Trade
11 Patty For Two Suspects Told." (Exhibit E).

12 f. The proposed assassination of Oakland A's owner Charles
13 O. Finley. Defendants Bates, his agents and employees, and
14 officers, agents, and employees of the San Francisco and Los
15 Angeles Police Departments released or leaked information which
16 associated plaintiffs Harris, in part by and through their public
17 identification with the SLA by defendants, with an alleged pro-
18 posed assassination of Charles O. Finley, owner of the Oakland
19 A's baseball team. The resulting release or leak produced news
20 items which included a prominently carried article in the Los
21 Angeles Times under a headline entitled "Hearst Broke With SLA,
22 Magazine Reports." (Exhibit F).

23 g. The proposed kidnapping of Kathleen Brown Rice. Officers,
24 employees and agents of the FBI and the Los Angeles Police Depart-
25 ment released or leaked information which associated plaintiffs
26 Harris, by and through their public identification with the
27 SLA, by defendants with an alleged plot to kidnap Kathleen Brown
28 Rice, sister of Governor Brown of California and member of the
29 Los Angeles Board of Education. The resulting release or leak
30 produced news items which included prominently carried articles
31 in the Los Angeles Times and San Francisco Examiner under the
32 headlines entitled "SLA Sympathizers Plotted to Kidnap Brown's
33 Sister" and "Governor's Sister SLA Kidnap Target" respectively.
34 (Exhibit G);

1 h. The robbery of Guild Savings and Loan in Sacramento.
2 Officers, employees, and agents of the FBI, the District
3 Attorney's Office, United States Attorney's Office, and Police
4 Department in Sacramento, and the San Francisco Police Department
5 released or leaked information which associated plaintiffs Harris
6 with the February 25 robbery of \$3,729 from the Guild Savings and
7 Loan in Sacramento. The resulting release or leak produced news
8 items which included a prominently carried article in the Los
9 Angeles Times under a headline entitled "Patty, Harrises Enrolled
10 In College During Manhunt." (Exhibit H);

11 i. The attempted pipe bombing of a San Francisco Police
12 Department patrol car. Officers, agents, and employees of the
13 San Francisco Police Department released or leaked information
14 which associated plaintiffs Harris with an unexploded pipe bomb
15 discovered under a patrol car behind the Mission District Station
16 in San Francisco. The resulting release or leak produced news
17 items which included a prominently carried article in the Los
18 Angeles Herald-Examiner under a headline entitled "Harris Bombs
19 Same As Cop Car." (Exhibit I);

20 j. 23 bombings and one arson. Officers, agents, and employees
21 of the FBI, the San Francisco Police Department, and the US
22 Attorney's Office in San Francisco released or leaked information
23 which associated plaintiffs Harris with 23 bombings and one arson
24 for which an organization known as the New World Liberation Front
25 has allegedly claimed responsibility. The resulting release or
26 leak produced news items which included a prominently carried
27 article in the Los Angeles Herald-Examiner under a headline
28 entitled "SLA Bombing Links Probed." (Exhibit J).

29 k. Association with person presently charged with an
30 execution-style double murder. Officers, agents, and employees
31 of the Los Angeles Police Department and the FBI released or
32 leaked information and photographs which associated plaintiffs

1 Harris with a person presently charged with an execution-style
2 double murder for which a 12-1/2 hour police siege was required.
3 The resulting release or leak produced a published photograph
4 of plaintiffs with said person and news items which included a
5 prominently carried article in the Los Angeles Times under a
6 headline entitled "Two More Suspects Sought in 'Execution'
7 Slayings." (Exhibit K);

8 1. 2 Pacific Gas and Electric Company bombings which blacked
9 out 35,000 homes on two occasions in the San Jose-Los Gatos area.
10 Officers, agents, and employees of the FBI released or leaked
11 information which associated plaintiffs Harris with 2 Pacific
12 Gas and Electric Company bombings which blacked out 35,000 homes
13 in the San Jose-Los Gatos area. The resulting release or leak
14 produced news items which included a prominently carried article
15 in the San Francisco Chronicle under a headline entitled "SLA
16 Suspect in PG&E Bombings." (Exhibit L);

17 m. The abduction of Patricia Hearst. Defendants and their
18 agents, employees and officers released or leaked information
19 which associated plaintiffs with the abduction of Patricia Hearst.
20 The resulting release or leak produced news items which included
21 a prominently carried article in the Los Angeles Times under a
22 headline entitled "Hearst Not Coerced, SLA Papers Say."
23 (Exhibit M);

24 n. The branding of plaintiffs' co-defendant as a common
25 criminal by the Attorney General of the United States. Defendant
26 Saxbe as Attorney General of the United States publicly branded
27 plaintiffs Harris' co-defendant as a "common criminal". The
28 resulting branding produced news items including a prominently
29 carried article in the Los Angeles Times.

30 o. The branding of plaintiffs as members of a
31 "revolutionary group" which want to overthrow our government
32 and use the weapon of violence by the Director of the FBI.

1 Defendant Kelley publicly branded plaintiffs by and through their
2 public identification with the SLA by defendants as members of
3 a "revolutionary group which wants to overthrow our government
4 and use the weapon of violence." The resulting branding produced
5 news items which included a prominently carried article in the Los
6 Angeles Times under a headline entitled "Judge Denies Bail For
7 Patty, Cites Her Views." (Exhibit N);

8 p. The branding of plaintiffs as members of a terrorist
9 organization by the Attorney General of California. Defendant
10 Younger publicly branded plaintiffs by and through their public
11 identification with the SLA by defendants as members of "terrorist
12 organization." The resulting branding produced news items which
13 included a prominently carried article in the Los Angeles Times
14 under a headline entitled "Younger Foresees More Acts By Terrorist
15 Groups." (Exhibit O);

16 q. The branding of plaintiffs as members of an organization
17 consisting of persons who turned to terror, were alienated and by
18 personal choice outlaws, committed to violence and to provoking an
19 official institutional counter-violence, and who initiated a self-
20 corrupting spiral of over simplification and polarization and
21 violence by the President of the Board of Police Commissioners in
22 the City of Los Angeles. At a press conference attendant to
23 release of a police report concerning a May 19 shootout by the
24 LAPD against alleged members of the SLA, defendants Williams and
25 Davis and their agents and employees released documents and photo-
26 graphs, including a press statement by defendant Williams, branding
27 plaintiffs as members of an organization consisting of persons who
28 "turned to terror", were "alienated and by personal choice outlaws"
29 were "committed to violence and to provoking an official institu-
30 tional counter-violence", and who "initiated a self-corrupting
31 spirial of over-simplification and polarization and violence." The
32 resulting branding produced news items including a prominently

1 carried article by the Los Angeles Times.

2 51. Further, said leads, information, and gossip include
3 but are not limited to identification of the following items set
4 forth below which have been released, leaked, or disseminated by
5 defendant Kelley, defendant Kern, defendant Bates, defendant
6 Browning and officers, agents, and employees of the FBI, San
7 Francisco Police Department, and US Attorney's Office in San
8 Francisco to the general public detailing the alleged personal
9 effects of plaintiffs recovered by the FBI and other law enforce-
10 ment agencies as the result of a search and seizure which allegedly
11 took place within the residences of plaintiffs and their
12 co-defendant Patricia Hearst:

13 a. 40 pounds of black powder explosive;

14 b. Three .30 semi-automatic carbines;

15 c. Two automatic shotguns;

16 d. Two handguns;

17 e. Two military type bandoliers;

18 f. Pipe bombs;

19 g. Five pounds of gunpowder;

20 h. A half-dozen key-wound alarm clocks, four large

21 batteries, and six foot-long lengths of two-inch pipe threaded at
22 both ends, some of them capped;

23 i. Illegal firearms;

24 j. Two gas masks;

25 k. Two M-1 carbines;

26 l. A sawed-off shotgun;

27 m. Two .38 caliber revolvers;

28 n. A 9 mm. automatic pistol and two 9 mm. guns;

29 o. A large amount of ammunition;

30 p. A ski mask;

31 q. Three books from the University of California -

32 The Science of High Explosives, Explosives and
33 Fuels, Explosives and Dyestuffs;

1 x. An FBI publication titled The Science of Finger-
2 prints;

3 s. A page from a notebook entitled 'Savings and Loan'
4 and containing addresses;

5 t. A page removed from a looseleaf notebook titled
6 "B of A Marysville;"

7 u. A page with a diagram apparently showing the
8 interior of a bank teller's window with notations of 'window and
9 till, coins, cash drawer;

10 v. An unsent communique labelled a 'death warrant'
11 addressed to the Black Liberation Army, the Black Guerilla
12 Army, and the Black Guerilla Family and naming Maalik el-Maalik
13 as the 'People's Enemy No. 1;'

14 w. A copy of 'The Anarchist Cookbook;'

15 x. An unsent communique with respect to a bank robbery
16 in Carmichael California.

17 52. The resulting releases, leaks, and dissemination pro-
18 duced news items including prominently carried articles in the
19 Los Angeles Times. (Exhibit P).

20 53. Plaintiffs Harris have never been charged with
21 possession of any of the items set forth in paragraph 51 above.

22 54. Further, said leads, information and gossip include
23 but are not limited to contents or portions thereof/seized
24 writings, documents, and manuscripts allegedly authored and/or
25 in the possession of plaintiffs Harris or Patricia Hearst of an
26 incriminating, strongly implicative, and highly prejudicial,
27 nature. Said contents or portions thereof have been released,
28 leaked, or disseminated to the general public by defendant Kelley,
29 defendant Kern, defendant Bates, defendant Browning and officers,
30 agents, and employers of the FBI, San Francisco Police Department,
31 and United States Attorney's Office in San Francisco. (Exhibit Q).

32 55. Further, said leads, information and gossip include
33 but are not limited to gossip concerning the alleged

1 personal philosophies and life styles of plaintiffs, and persons
2 and groups such as the SLA, with which plaintiffs have been
3 publicly identified by defendants. Said gossip has been released
4 leaked, or disseminated to the general public by defendants,
5 their agents, employees and officers. The resulting releases,
6 leaks, and dissemination produced news items including prominent
7 carried articles in the Los Angeles Times. (Exhibit R)

8 56. Said gossip described in paragraph 55 above includes
9 but is not limited to prejudicial alleged photographs of plain-
10 tiffs, the dissemination of which was ordered by agents, officers
11 and employees of the FBI. Said gossip also includes private
12 correspondence from plaintiff Emily Harris to her parents, which
13 was leaked and disseminated by agents, officers and employees
14 of the FBI.

15 57. Further, said leads, information, and gossip include
16 but are not limited to the contents or portions thereof of in-
17 vestigative reports, memoranda, and documents prepared by de-
18 fendants, their agents and investigators with respect to plaintiff
19 and the alleged acts and events which will form the basis for
20 the criminal charges for which plaintiffs are now scheduled to
21 begin trial on February 2, 1976. Said contents or portions
22 thereof were presented in sum or substance to the grand juries
23 which returned indictments against plaintiffs, and should not
24 have been disseminated to the public. Said contents or portions
25 thereof, if in fact true and admissible at trial as properly
26 adduced evidence, should not have been disseminated prior to
27 trial to members of the public from which plaintiffs' jury will
28 ultimately be selected.

29 /
30 /
31 /
32 /

1 58. Said contents or portions thereof described in para-
2 graph 57 above have been released, leaked, or disseminated to
3 the general public by officers, agents, and employees of the FBI,
4 Los Angeles Police Department, Inglewood Police Department, the
5 Los Angeles District Attorney's Office, and the Los Angeles County
6 Sheriff's Department. The resulting releases, leaks, and dissemi-
7 nation produced highly prejudicial and incriminating news items
8 to plaintiffs including prominently carried articles in the Los
9 Angeles Times. (Exhibit S).

10 59. Defendant Bates publicly deplored said leaks described
11 in paragraphs 57 and 58 above.

12 60. Attorneys, officers, and employees of the Los Angeles
13 District Attorney's Office and investigators, officers and
14 employees of the Federal Bureau of Investigation, in San Francisco
15 and Los Angeles, Los Angeles Police Department, and Los Angeles
16 County Sheriff's Department, released or leaked information to
17 the general public which stated that between 12 and 20 witnesses
18 [would] be called before the Grand Jury including William Huett.
19 three of his employees, Thomas Dean Matthews, and Frank Sutter.
20 The resulting release or leak produced news items including a
21 prominently carried article in the Los Angeles Times under a
22 headline entitle "LA Jury Indicts Patty, Harris on 11 Counts"

23 which quoted and summarized the alleged statements given to
24 defendants and their investigators by said witnesses. (Exhibit T).

25 61. Defendant Stevenson stated publicly that an article
26 published in the Rolling Stone on October 25, 1975 entitled
27 "The Inside Story" was "essentially correct." (Exhibit U) Said
28 article strongly incriminated and prejudiced plaintiffs with
29 respect to the alleged criminal conduct for which plaintiffs
30 have been indicted with respect to their alleged personal
31 philosophies and life styles. Said statement produced news
32 items including a prominently carried article in the Los Angeles

1 Times under a headline entitled "Story on Patty, Scott Essentially
2 Correct, US says." (Exhibit V).

3 62. Defendant Bates stated publicly that said Rolling Stone
4 article "appear[ed] to be old stuff being reweven together." Said
5 statement produced news items including a prominently carried
6 article in the Los Angeles Times. (Exhibit W).

7 63. Defendant Stevenson publicly confirmed the "substance"
8 of stories in the San Francisco Chronicle linking plaintiff
9 William Harris and his co-defendant Patricia Hearst to a bank
10 robbery in Carmichael, California in which a woman was killed
11 and an article in the Oakland Tribune connecting one of the
12 plaintiffs Harris to Hearst's kidnaping. Said statement produced
13 news items including a prominently carried article in the Los
14 Angeles Times under a headline entitled "Story on Patty, Scott
15 Essentially Correct, US Says." (Exhibit V).

16 64. Defendants and each of them have released or leaked, or
17 disseminated other information similar in character to the infor-
18 mation described in paragraphs 43 through 63 above.

19 65. Defendants and each of them took the following actions
20 against plaintiffs Harris:

- 21 a. Subjecting their property, papers and effects to
- 22 unreasonable searches and seizures, without warrants therefor;
- 23 b. Theft of their property, papers, and effects;
- 24 c. Subjecting them to annoying and unnecessary sur-
25 veillance;
- 26 d. Subjecting them to unreasonable electronic
27 surveillance, including interception of their telephone conversa-
28 tions and the bugging of their residences;
- 29 e. Subjecting correspondence and mail addressed to
30 them, addressed by them, sent to them, and sent by them to
31 unreasonable search, seizure, and inspection while it was in
32 transit in the United States mails;

1 f. The compilation of information concerning them
2 into dossiers maintained within the files of governmental
3 departments, agencies, and offices, and the use of said infor-
4 mation for purposes unrelated to legitimate governmental
5 functions;

6 g. The implementation of Counterintelligence
7 programs against plaintiffs, including but not limited to the
8 FBI Cointelpro programs.

9 66. The conduct described in paragraphs 43 through 65 has
10 irreparably injured the plaintiffs in that it has deprived them of
11 rights secured to them by the United States Constitution and the
12 laws of the United States.

13 67. By virtue of said conduct, and because the defendants
14 promoted, encouraged, ordered, solicited, condoned, and ratified
15 said conduct, the agents and employees of the United States
16 government, of local Police Departments, and of local District
17 Attorney Offices have been led to believe that they may engage
18 in said conduct against plaintiffs with impunity and without fear
19 of arrest, prosecution, conviction, discipline, or other unfavor-
20 able consequences.

21 68. Unless this Court declares that such conduct is unlawful
22 and restrains the defendants, their agents, employees, successors,
23 privies, and all persons acting in concert with them, from engagi-
24 in, promoting, soliciting or conspiring to commit such conduct
25 or similar conduct against the plaintiffs, they will continue to
26 suffer immediate and irreparable injuries for which they have no
27 adequate remedy at law.

28 69. The plaintiffs are informed and believe that the
29 allegations contained in paragraphs 39 through 68 are true, and
30 they make said allegations on the basis of said information
31 and belief.
32 /

SECOND CAUSE OF ACTION

70. This is a cause of action to redress a conspiracy and/or conspiracies to deprive the plaintiffs of rights, privileges and immunities, including the equal protection of the laws and equal privileges and immunities under the laws, secured to them by the Constitution and laws of the United States.

71. This cause of action is authorized by the First, Fourth, Fifth, Sixth, Eighth, Ninth, Tenth and Fourteenth Amendments to the Constitution of the United States, by 42 U.S.C. §§ 1983, 1985 and 1988 and by 18 U.S.C. §§ 2510-20.

72. During the period from on or about May 20, 1974 to the present in the City and County of Los Angeles, in San Francisco, in Sacramento, the defendants and each of them, and their agents and employees and those acting in concert with them, whose identities are presently unknown to plaintiffs, did unlawfully, wilfully, knowingly, corruptly, maliciously, discriminatorily, arbitrarily and in bad faith, combine, conspire, confederate and agree, together and with each other, to deprive the plaintiffs and each of them of the rights, privileges and immunities secured to them by the Constitution of the United States including the First, Fourth, Fifth, Sixth, Eighth, Ninth, Tenth and Fourteenth Amendments thereto, and by the laws of the United States, including 18 U.S.C. §§ 2510-20, and of the equal protection of the laws and equal privileges and immunities under the laws, by means of the conduct and for the purposes described above in paragraphs 39 through 68, herein incorporated, ^{with} all the specific intent to do so.

73. As part of and in furtherance of said conspiracy, and for the specifically intended purpose and with the effect of achieving its objects, one or more of said defendants, their agents and employees and those acting in concert with them, acting separately and in concert in the City and County of Los Angeles in San Francisco, in Sacramento, and elsewhere,

1 unlawfully, wilfully, knowingly, corruptly, maliciously,
2 discriminatorily, arbitrarily, and in bad faith and without
3 probable, reasonable or any legitimate cause therefor committed,
4 aided and abetted, caused, ordered, authorized, financed,
5 solicited, encouraged, approved, consented to, condoned and/or
6 otherwise promoted, with specific intent to do so, the conduct
7 set forth above in paragraphs 39 through 68, among others.

8 THIRD CAUSE OF ACTION

9 74. This is a cause of action to redress neglect and refusal
10 to prevent a conspiracy to deprive the plaintiffs of their
11 rights secured to them by the Constitution, including the equal
12 protection of the laws and equal privileges and immunities
13 under the laws, and by the laws of the United States, and to
14 prevent the deprivation of such rights.

15 75. This cause of action is authorized by the First, Fourth,
16 Fifth, Sixth, Eighth, Ninth, Tenth and Fourteenth Amendments
17 to the United States Constitution, by 42 U.S.C. §§ 1983, 1985,
18 1986 and 1988, and by 18 U.S.C. §§ 2510-20

19 76. The plaintiffs reallege and incorporate by this reference,
20 as if fully set forth herein, each and every allegation contained
21 in paragraphs 39 through 68 of the First Cause of Action and para-
22 graphs 70 through 73 of the Second Cause of Action.

23 77. The defendants each had knowledge of said conspiracy and
24 each had the duty and the power to prevent or aid in preventing
25 said wrongs and acts that were the objects of the conspiracy.

26 78. Said defendants and each of them, each unlawfully, wil-
27 fully, knowingly, corruptly, maliciously, discriminatorily,
28 arbitrarily and in bad faith neglected and refused to prevent or
29 aid in preventing the commission of said wrongs and acts.

30 ///

31 /
32 /

1 79. Defendants and each of them did act with flagrant,
2 wanton, and malicious disregard for the rights of the plaintiffs
3 and in doing did deprive and deny the plaintiffs of their consti-
4 tutional rights under the First, Fourth, Fifth, Sixth, Eighth,
5 Ninth, Tenth, and Fourteenth Amendments all to plaintiffs' damage
6 in a sum not capable at this time of being fully calculated,
7 but not less than \$15,000,000 and further entitling plaintiffs to
8 punitive and exemplary damages of \$15,000,000.

9 PRAYER FOR RELIEF

10 WHEREFORE, the plaintiffs pray for judgment as follows:

11 1. That defendants be summoned to appear and answer
12 herein and that plaintiffs have judgment for their damages, costs
13 of suit and each other and further relief as they may show
14 themselves justly entitled to receive.

15 2. For a declaration that the defendants engaged in
16 the conduct alleged in this complaint against the plaintiffs, and
17 that such conduct was and is unlawful and unconstitutional.

18 3. For a permanent injunction restraining the defen-
19 dants, their agents, employees, successors, privies and all
20 persons acting in concert with them, from engaging in any way
21 in the conduct set forth in this complaint or conduct similar
22 thereto against either of the plaintiffs.

23 DATED: January 5, 1976.

Respectfully submitted,

24 MARK ROSENBAUM
25 FRED OKRAND
26 JILL JAKES
27 MARY ELLEN GALE
28 VIRGINIA SLOAN
29 LEONARD I. WEINGLASS
30 RUTH ASTLE
31 Attorneys for Plaintiffs, EMILY
HARRIS and WILLIAM HARRIS

By: MARK ROSENBAUM

32 Plaintiffs hereby demand a trial by jury.

IN THE UNITED STATES DISTRICT COURT
FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

ELIZABETH ANN NORTON
2238 Market Street
Wheeling, West Virginia 26003,

Plaintiff

v.

JOHN TURNER and One Other
Unknown Alexandria Police Detective
Alexandria Police Department
Alexandria, Virginia

SERVE: John Turner
Alexandria Police Department
Alexandria, Virginia

Chief of Police,
City of Alexandria
Alexandria Police Department
Alexandria, Virginia
On Behalf of Unknown
Police Detective

and

ROBERT O'BRIEN and Three Other
Unknown Agents of the Federal Bureau
of Investigation
Alexandria Field Office
Alexandria, Virginia

SERVE: Robert O'Brien
Federal Bureau of Investigation
Alexandria Field Office
300 North Lee Street
Alexandria, Virginia

Director, Alexandria Field Office
Federal Bureau of Investigation
300 North Lee Street
Alexandria, Virginia
On Behalf of Three Unknown
Agents of the Federal Bureau
of Investigation

and

THE UNITED STATES OF AMERICA

SERVE: United States Attorney
for the Eastern District of
Virginia
Office of the United States Attorney
Alexandria, Virginia

CIVIL ACTION NO.

COMPLAINT

JURY TRIAL DEMANDED

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION
100 NORTH COLLEGE STREET
ALEXANDRIA, VIRGINIA 22304
POST OFFICE BOX 1280
ALEXANDRIA, VIRGINIA 22304

435 WASHINGTON BUILDING, N. W.
WASHINGTON, D. C. 20005
703 626 3333

Attorney General of the United
States
Department of Justice
Washington, D.C.
By Registered Mail,

Defendants.

I. JURISDICTION

1. Jurisdiction of this Honorable Court is attained pursuant to the Fourth, Fifth, Ninth and Fourteenth Amendments to the United States Constitution, 42 U.S.C. §1983, and 28 U.S.C. §§1331, 1332, 1343, and 1346(b). Pendent jurisdiction is also attained under state law. The amount in controversy exceeds \$10,000.00.

II. PARTIES

2. Plaintiff Elizabeth Ann Norton is now a resident of Wheeling, West Virginia and a citizen of the United States. At the time of the events complained of below, she was a resident of Alexandria, Virginia, the situs of the actions complained of.

3. John Turner is a Detective in the Alexandria Police Department. He, and another member of the Alexandria Police Department, whose name has not been ascertained at this time, participated in the events described below. Both police agents are sued in their individual capacities for actions committed under color of state law.

4. Robert O'Brien and the three unknown Federal agents of the Federal Bureau of Investigation are the four agents known to have participated in the events described below. Except for defendant O'Brien, their exact identities are not known at this time, but upon ascertainment pursuant to discovery will be supplied. They are sued in their individual capacity as agents of the Federal Bureau of Investigation, an agency of the United States.

100 NORTH COLUMBUS STREET
POST OFFICE BOX 1246

ALEXANDRIA, VIRGINIA 22319

815 WASHINGTON BUILDING, N. W.
WASHINGTON, D. C. 20005

703 016-3255

5. The United States is a Federal sovereign amenable to suit pursuant to the Federal Torts Claim Act, 28 U.S.C. §2675, et seq., as amended, and for illegal actions committed in violation of the Constitution of the United States.

III. NATURE OF ACTION

6. Plaintiff brings this action for monetary and declaratory relief in order to redress injuries suffered by her as a result of the grievous and wanton conduct of the aforementioned defendants in illegally breaking into plaintiff's apartment in a search for the then fugitive Patricia Hearst. The defendants involved in the actual break-in were acting upon unreliable and sketchy information. The entry into plaintiff's apartment by the defendants involved was performed without proper identification, without a warrant, with excessive force, with wanton disregard for the safety and well-being of the plaintiff, all of which were motivated in part by the Federal Bureau of Investigation's continuing embarrassment over its failure to apprehend Patricia Hearst. As will be described in the following, these actions violated plaintiff's rights under the Fourth, Fifth and Ninth Amendments to the United States Constitution as well as under 42 U.S.C. §§1983, 1985, and the Virginia Constitution and State law.

IV. CAUSES OF ACTION

7. At approximately 10:10 o'clock P.M. on March 15, 1975, plaintiff, a single woman, who, because of her roommate's absence was at the time living alone, heard a knock at her Alexandria, Virginia apartment door and the voice of a male demanding entrance and claiming to be from the Federal Bureau of Investigation. Plaintiff then requested the following information from the person or persons at the door: she

WILSON & ASSOCIATES, LTD.
100 NORTH COLUMBIA STREET
PORT OFFICE BOX 1255
ALEXANDRIA, VIRGINIA 22315
659 WASHINGTON BUILDING, N. W.
WASHINGTON, D. C. 20005
303 531-3555

8. Plaintiff then moved to the telephone which is approximately five (5) feet from the door in order to call the Federal Bureau of Investigation. Plaintiff had the telephone number of the Federal Bureau of Investigation next to her telephone because just the week before a Federal Bureau of Investigation agent had visited her apartment concerning her roommate's husband. Plaintiff also responded that without identification she would not let the agents in.

10. Six to eight men dressed in plain clothes came through the door with riot guns and other weapons. Some of the weapons were directed at plaintiff. Some of the men wore suits, some sport shirts and slacks, and some were dressed as "hippies." Plaintiff again requested a warrant. There was no response to her request.

12. Finally, an agent asked, "Where is he?" Plaintiff was hysterical and could not respond. She thought that the man meant her roommate's husband about whom she was questioned the week before.

-4-

and told her then that they had a report that Patricia Hearst was in the apartment and further inquired whether plaintiff knew it was a felony to harbor a known criminal.

14. About fifteen (15) minutes after the men entered the apartment, badges were flashed, but despite a request no warrant was shown her. The agents continued to ask plaintiff questions about Patricia Hearst, the S.A. and plaintiff's roommate. They demanded that she produce a picture of her roommate which she did. The agents did not take the picture.

15. The agents then returned to her living room and asked her more questions about male and female visitors including boyfriends. She was asked about the criminal records of various parties. She was also asked about the previous Federal Bureau of Investigation's investigation concerning her roommate's husband. One agent went through the desk which was in the living room.

16. After some time, two other men entered the apartment relating that they had interviewed people in the apartment building, particularly one tenant. The agents asked plaintiff about previous trouble she had with that tenant. The agents then left the apartment without attempting to settle plaintiff, who remained hysterical throughout this whole process, and without apologizing.

17. The raiding party upon the apartment included the four Federal Bureau of Investigation agents referred to above as well as the two Alexandria Police officers named as defendants in this matter.

18. The above-described entry was made by the police officers involved without proper investigation of the occupants of plaintiff's apartment. Further, the Federal Bureau of Investigation knew, or should have known, the identity of the

RECEIVED
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE
WASHINGTON, D. C. 20535
ALEXANDRIA, VIRGINIA 22304
TO: DIRECTOR, FBI
FROM: SAC, ALEXANDRIA
SUBJECT: PATRICIA HEARST
RE: ALEXANDRIA POLICE OFFICERS
AND FBI AGENTS
DATE: 11/11/71
TIME: 10:00 AM
BY: [Signature]

occupants of that apartment as they had been there one week before on another matter.

19. The afore-described events, including entry and search without a proper warrant, use of force, brandishment of weapons, failure to properly identify themselves, and the unlawful detainment of plaintiff violated plaintiff's right to freedom from unwarranted intrusion guaranteed her by the Fourth, Fifth, Ninth and Fourteenth Amendments to the United States Constitution.

20. The above-described actions of the officers who raided her apartment constituted false imprisonment, assault, battery and illegal entry in violation of Virginia law, Virginia Code Section 19.2-59 (1950, as amended).

21. The above-described actions of the Alexandria Police defendants under color of state law operated to deprive her of the rights, privileges and immunities guaranteed her by the Constitution and the laws of the United States.

22. As a result of the foregoing, plaintiff has suffered severe emotional distress, humiliation and embarrassment. She has also suffered physically, being unable to work, needing medical treatment and she continues to date to suffer all of the foregoing.

WHEREFORE, plaintiff prays for the following relief:

1. Compensatory damages in the amount of ONE HUNDRED THOUSAND (\$100,000.00) DOLLARS.
2. Punitive damages in the amount of TWO HUNDRED FIFTY THOUSAND (\$250,000.00) DOLLARS.
3. Judgment of the Court pursuant to 28 U.S.C. §2201 declaring the aforestated actions complained of to be illegal and in violation of plaintiff's Constitutional rights.
4. Such other relief as the Court may deem proper.

Respectfully submitted,

ELIZABETH ANN NORTON,
By Counsel

2101 LEE STREET, ALEXANDRIA, VIRGINIA 22304
1000 COLLEGE STREET
ALEXANDRIA, VIRGINIA 22304
OFFICE FOR 1985
ALEXANDRIA, VIRGINIA 22304
WASHINGTON BUILDING, N. W.
WASHINGTON, D. C. 20001
703 636-3189

COUNSEL FOR PLAINTIFF:

Philip J. Hirschkop
PHILIP J. HIRSCHKOP
JOHN D. GRAD
108 North Columbus Street
Alexandria, Virginia 22313

ARTHUR H. BLITZ
Everngam and Goldstein, P.A.
Suite 300
8700 Georgia Avenue
Silver Spring, Maryland 20910
(301) 588-8750

ROBERT D. SALZER
Suite 301
8700 Georgia Avenue
Silver Spring, Maryland 20910
(301) 589-2442

PHILIP HIRSCHKOP & ASSOCIATES, LTD.
108 NORTH COLUMBUS STREET
ALEXANDRIA, VIRGINIA 22313

OFFICE FOR 1984
ALEXANDRIA, VIRGINIA 22313
225 WASHINGTON BUILDING, N. W.
WASHINGTON, D. C. 20008
703 678-1533

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

FEB 25 1976

TELETYPE

NR005 PH CODE

3:55 PM NITEL FEB. 25, 1976 JER

TO: DIRECTOR (7-15200)

FROM: SAN FRANCISCO (7-655)

FROM: PHILADELPHIA (7-1299) (SQ9) (P)

ATTN: GID-INTD, EXTERNAL AFFAIRS

REARMAP; OO: SAN FRANCISCO

ON FEBRUARY 25, 1976, U.S. ATTORNEY (USA), JOHN S. COTTONE, MDPA., SCRANTON, PA., ADVISED HE IS EXTREMELY DESIROUS OF OBTAINING "EVERY WORD SAID UNDER OATH" BY PATRICIA REARST DURING HER BANK ROBBERY TRIAL AT SAN FRANCISCO. USA COTTONE STATED THIS INFO WILL BE USED TO FURTHER THE HARBORING ASPECT AGAINST JACK AND MICKI SCOTT.

SAN FRANCISCO AT SAN FRANCISCO, CALIF.: WILL ATTEMPT TO OBTAIN TRIAL TRANSCRIPT RE REARST'S TESTIMONY AND FORWARD TO PHILA.

END

EX-110
REC-2

7-15200-7599

SJP FBING CLR AND TKS

Z MAR 2 1976

Assoc.	
Dep. A.D. Adm.	
Dep. A.D. Inv.	
Asst. Dir.:	
Admin.	
Comp.	
Ext. Aff.	
Gen. Inv.	
Ident.	
Inspection	
Intell.	
Laboratory	
Plan. & Eval.	
Spec. Inv.	
Training	
Legal Coun.	
Telephone Rm.	
Director Sec'y	

EX-110

56 MAR 10 1976

REC'D - CIVIL RIGHTS

REC'D - CIVIL RIGHTS

6-6

FBI

Date: 2/19/76

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL AIRMAIL
(Priority)

TO: DIRECTOR, FBI (7-15200)(ATTN.: GID & INTD)

FROM: SAC, SAN FRANCISCO (7-855)

HEARNAP
OO: SF

RE [REDACTED]

Enclosed herewith for the Bureau and Los Angeles is one copy each of a letter from [REDACTED] dated 2/14/76, to Mr. CLARENCE KELLEY.

As set forth in the letter, Special Agents of this office did testify in Superior Court in Los Angeles and Agents of this office were accosted by [REDACTED] who was extremely obnoxious and appeared to be somewhat unbalanced. He did ask generally the questions set forth in his letter, however, he received noncommittal replies from the Agents. Unnamed Deputy Sheriffs in Los Angeles who were policing the court and the hallways stated that [REDACTED] is a reporter for the "Hollywood Press", which is a semi-porno paper in Los Angeles, and they advised Agents of this office that he appears mentally unstable.

The files of the SF Office reflect that [REDACTED] true name is [REDACTED]

③ Bureau (Enc. 1)
1 Los Angeles (Info)(7-1627) (Enc. 1)
1 San Francisco
MAH:LMR
(5)

22 FEB 21 1976

Approved: _____ Sent _____ M Per _____

84 MAR 10 1976 Special Agent in Charge

U. S. GOVERNMENT PRINTING OFFICE : 1969 O - 346-090 (11)

SF 7-855
MAH:LMR

57C

[REDACTED]

The enclosed letter is being furnished to the Bureau in the event they should receive similar letters from this individual.

An information copy is being furnished Los Angeles inasmuch as [REDACTED] is in their Division.

Feb. 14, 1976

Mr. Clarence M. Kelley
Director
Mr. Charles Bates ✓
Special Agent in Charge
F.B.I.
San Francisco, California

Dear Mr. Kelley
Dear Mr. Bates:

RE: FBI Special Agents JOHN J. SCHREIBER, JAMES C. SCHOLS,
LAURENCE LAWLER, ROBERT V. SPENCER II, MONTE HALL & Others Unknown

COMPLAINT Against JOHN J. SCHREIBER, and Others Unknown; MONTE HALL,
ROBERT V. SPENCER II - San Francisco FBI Agents.

On Feb. 10th, 1976, these 5 above named FBI agents, and others, appeared in the Department 134 courtroom of Los Angeles Superior Court Judge Mark BRAIDLER. They were seated in the hallway, or standing up, which is on the 15th floor of the L.A. Criminal Courts Bldg., Temple and Broadway. Other newsmedia personnel, and L.A. County Sheriff's deputies were also present.

These 5 FBI agents testified during pretrial motions in the case of WILLIAM HARRIS and EMILY HARRIS.

I am a Los Angeles based freelance newswriter, and I had occasion to ask Agent SCHREIBER just exactly how he spells his name. "What's yours?" agent SCHREIBER said rudely. I told him my name was [REDACTED] and he asked for newsmedia identification. I pulled out a Hollywood Press identification card which included my photograph and name. He looked at it, and he gave me a dirty look, and then he and another FBI agent walked off down the hall. I told him that I was going to write to FBI Director CLARENCE KELLEY and complain about it but he indicated he didn't care.

Another rude individual in this group is ROBERT SPENCER. SPENCER testified he was ROBERT (Something) SPENCER II. I asked Mr. SPENCER, a male, cauc. with reddish hair, if he said his middle name was "B as in BAKER" or "V as in VICTOR"? "Can't you hear well?" SPENCER said rudely.

SPENCER testified that he is normally assigned to "applicant" investigations, and had not been on the Patty Hearst squad. If this is what is investigating applicants, then I suspect the applicants of the worst quality are going to be cleared.

What I don't like about HALL is that he gave me a threatening look when I took a picture of him an individual emerging from the courtroom. MONTE HALL said he is against photographers taking his picture, even though he is appearing in a newsworthy setting and was a newsmaker.

MORE

7-15200 - 7600

ENCLOSURE

SEARCHED	INDEXED
SERIALIZED	FILED
FEB 17 1976	
FBI - SAN FRANCISCO	

HALL was not photographed, and if he was, it was only his backside and bald head.

On Jan. 20th, 1976, in Dept. 134, in that same hallway and in that same courtroom, towards the end of the JOSEPH RENIRO and RUCAL BIRTH trial, before Judge A. ROSE BIGELOW, I ran into similar "dirty looks" from persons affiliated with the SLA membership.

Just as HALL and SPENCER complained about my camera, so did ROBERT HOOD of Oakland, and STUART HANLON, the "legal runner" for LITTLE and RENIRO.

There were also two girls, who appeared to be friends of HANLON--they sat in Seat No. 26 and 27 on Jan. 20th in the afternoon (the Sheriff's keep a log of all persons coming into the hearing as well as photographing them)--and these girls disliked my taking their picture.

It seems as though the newsmakers in the SLA case, whether friends or employees of the Central Intelligence Agency on the left (SLA) or the right-wing (FBI) don't want to be photographed.

Prior to seeing a camera, Agent HALL had been much nicer than SCHREIBER, and SCHREIBER's friend, and SPENCER.

Agent LAMLER did not behave in a unprofessional manner; nor did Special Agent JAMES C. ECHOLS, who appears to be the brightest of the fabulous 5.

Questions that were asked of the FBI agents, of which they said nothing, were:

-What do you think of the fact that SARAY MOORE was taken to the John Birch gun dealer by Special ATF agent Charles SARANAT, and that the ATF helped SARA get out of jail after Secret Service-FBI-SFED were on to her?

-What do you think of the fact that Lee HARVEY OSWALD appears to be reported to Special FBI Agent WARREN C. DUBREYS of the Counterintelligence Division 5, anti-Castro unit for several years prior to the 11/22/63 assassination of Pres. KENNEDY.

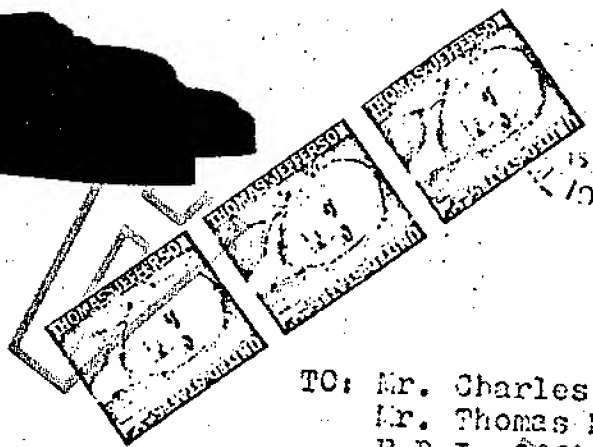
-What do you think of the possibility that SIRHAN B. SIRHAN reported to Special FBI Agents WAYNE SHAM, TED A'HERN, RICHARD BLOSSOM and RICHARD BURRIS prior to the June, 1968 assassination of BOBBY LEVY (No personal attack is meant against these agents, but facts are facts).

-And, what about EDWARD BIRCH, the mysterious former FBI agent who was identified in a book, THE GLASS HOUSE TAPES, by Donald Freed and others, of having planned sabotage as part of Squad 19 at the 1972 Democratic National Convention. BIRCH now works for Occidental Petroleum, despite the fact that the Justice Department is prosecuting ARMAND HAMER for various crimes.

In any case, Mr. KELLEY/EATES, I don't feel that SCHREIBER and particularly SPENCER Jr. exemplified the high standards that FBI Agents in Los Angeles, such as brave special agent JACK BLAIR of the Department's organized crime section, show when dealing with the public.

SIGNED, [Signature] b7C

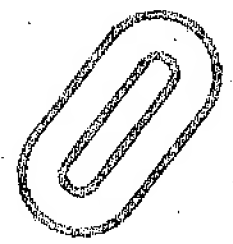
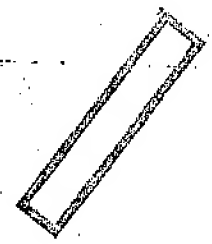
67C



15 FEB 1976



TO: Mr. Charles Bates
Mr. Thomas Drukin
F.B.I. Officials
San Francisco F.B.I. Office
S.F. Federal Bldg.
450 Golden Gate
SAN FRANCISCO, CA 94102



airtel

3/1/76

To: SACs, Los Angeles - Enc. Sacramento - Enc.
Philadelphia - Enc. San Francisco - Enc.
Portland - Enc.

From: Director, FBI 7-15200-7600X

ELDER
JAY WEISER

BUDED: 3/6/76

Enclosed for your office is one copy of Department of Justice memorandum dated 2/19/76 requesting electronic surveillance information in accordance with specific questions set forth in the enclosed memorandum.

Conduct check in order to answer specific questions in enclosed memorandum and Criminal Division memorandum, 4/15/68, furnished field 3/2/69. Key answers to correspond with questions A through F. If results reveal positive information, insure microphone sources monitoring individuals involved are identified to the Bureau.

Receiving offices check captioned individual.

Send your response to reach Bureau by COB 3/8/76. If positive, submit logs and pertinent documents by airtel.

JLS:bkh
(12)

RETURN TO [REDACTED] ROOM 3067, JEH.

MAILED 11
MAR 01 1976
FBI

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____

84 APR 19 1976

MAIL ROOM ☒ TELETYPE UNIT ☐

UNITED STATES GOVERNMENT

Memorandum

TO : Director
Federal Bureau of Investigation

DATE: February 19, 1976
RLT:ALH:GLG:DHH:mlm

FROM: *RLT*
Richard L. Thornburgh
Assistant Attorney General
Criminal Division

SUBJECT: Jay Weiner

Jay Weiner has been subpoenaed to appear before the United States District Court for the Northern District of California to testify for the prosecution in the case of United States v. Patricia Campbell Hearst. Immunity, under the provisions of Title 18, United States Code, Sections 6002 and 6003, will be granted the witness; it is considered likely that a motion claiming illegal electronic surveillance will be filed on his behalf.

In order to meet this challenge it is essential we be furnished with all electronic surveillance available to you regarding Jay Weiner. Therefore it is requested that we be advised if he has been overheard on any electronic surveillance or if any premises known to be owned, leased, or licensed by him have been monitored during the course of any electronic surveillance conducted by your Service. This information should include any surveillance where he may have consented thereto, as well as any surveillance conducted pursuant to Title III of Public Law 90-351.

Mr. Weiner, born July 2, 1954 at Philadelphia, Pennsylvania, resides at 1102 Elbridge Street, Philadelphia, Pennsylvania.

Please address your response to Mr. Alfred L. Hantman, Acting Chief, General Crimes Section, Criminal Division, Attention: Mr. David H. Hopkins. In view of the time limits involved, it would be appreciated if you would telephonically contact Mr. David H. Hopkins, 739-4439, upon completion of your response so that arrangements can be made for a messenger to pick up the response from your bureau.

EX 103 REC-15

14 FEB 27 1976

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

46 FEB 27 1976

*Antal 1 to CA PA, PD
3/1/76 JSL:EL SC, SK*



5010-110

McClelland
NE
SIX

TO: Special Investigative Division

FROM: ☒ Intelligence ☐ General Investigative ☐ Special Investigative

REQUEST FOR SEARCH OF SPECIAL INDICES

Date of request

3/2/76

Requesting Agent

SA [REDACTED]

Please complete following and return one copy to:

0001
Section

Division -

☐ Intelligence

☐ General Investigative

☒ Special Investigative

NAMES TO BE SEARCHED

JAY WEINER

KNOWN ALIASES

Results of Criminal and Security
Special Indices Search
(attach separate sheet, if necessary)

No record

BUFILE

Searched by [REDACTED]

Date

3/2/76

HA

TO: Special Investigative Division

FROM: ☐ Intelligence ☐ General Investigative ☒ Special Investigative

REQUEST FOR SEARCH OF SPECIAL INDICES

Date of request

2-19-76

Requesting Agent

Please complete following and return on

CITOC

Section

Division

☐ Intelligence☐ General Investigative☒ Special Investigative

NAMES TO BE SEARCHED

KNOWN ALIASES

Results of Criminal and Security
Special Indices Search
(attach separate sheet, if necessary)

Jay Weiner

Reg. - 9-15-75

Ans. - 4-28-75 neg

Reg. - 6-17-75

Ans. - 7-16-75 neg

NR

b7c

Bufile

Search

Date

2-1-76

H9

MESSAGE RELAY

Transmit in ☐ Plaintext
☒ Code

Via Teletype the Attached

☐ Immediate
☒ Urgent
☐ Nitel

Date 2/20/76

From: Director, FBI

To: SACs:

To: Legats:

OTTAWA

To: RUEADWW/ ☐ The President ☐ The Vice President ☐ White House Situation Room
☐ Attn: ☐ Attn:

RUEBWJA/ ☐ Attorney General ☐ Deputy Attorney General
☐ Attn: Analysis and Evaluation Unit

RUEBWJA/ ☐ Assistant Attorney General, Civil Rights Division

RUEBWJA/ ☐ Assistant Attorney General, Criminal Division

☐ Attn: Internal Security Section ☐ Attn: General Crimes Section

RUEABND/ ☐ Drug Enforcement Administration

RUEANAT/ ☐ National Aeronautics & Space Adm.

RUEBWJA/ ☐ Immigration and Naturalization Service

RUEOIAA/ ☐ National Security Agency
(DIRNSA/NSOC (Attn: SOO))

RUEBWJA/ ☐ U. S. Marshal's Service

RUEBDUA/ ☐ Department of the Air Force (AFOSI)

RUEOLKN/ ☐ Naval Investigative Service

RUEACSI/ ☐ Department of the Army

RUEAUSA/ ☐ U. S. Postal Service (if Classified)
(Use RUEVDFS if Unclassified)

RUEAIA/ ☐ Director, CIA

RUEHSE/ ☐ U. S. Secret Service (PID)

RUEBJGA/ ☐ Commandant, U. S. Coast Guard

RUEHOC/ ☐ Secretary of State

RUEKJCS/ ☐ Director, Defense Intelligence Agency

RUEBJGA/ ☐ Department of Transportation

RHEGGTN/ ☐ Energy Research and Development
Administration

Attn: Director of Security

RUEOGBA/ ☐ Federal Aviation Administration

PERSONNEL OFFICE OF THE DIRECTOR
COMMUNICATIONS SECTION

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

Classification:

☐ Top Secret
☐ Secret
☐ Confidential
☒ Unclassified

Subject (Text begins next page):

HEARNAP

MAIL ROOM ☐

TELETYPE UNIT ☐

84 MAR 22 1976

FEB 20 1976

EX-110

REC-42

Foreign Liaison Unit

☐ Route through for review
☒ Cleared telephonically
with _____

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

Asst. Dir.:
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv. ☒
Ident. ☒
Inspection
Intell. ☒
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director's Sec'y

SF 44-394

NR 441 SF CODE

FEB 20 1976
TELETYPE

9:40PM WTEL FEBRUARY 19, 1976, MJS

TO: DIRECTOR (7-15255)

NEW YORK (7-1975)

PHILADELPHIA (7-1299)

FROM: SAN FRANCISCO (7-655)

ATTN: INFO AND GID

HEARNAD, JO: SF.

PAUL KENNETH HOCH, AKA, EM - SLA.

~~RE SAN FRANCISCO TELETYPE TO BUREAU AND NEW YORK,~~

~~FEBRUARY 18, 1976, AND SAN FRANCISCO TEL CALL TO NEW YORK,~~

~~FEBRUARY 19, 1976.~~

RE: TESTIMONY OF PATRICIA HEARST.

BY TELETYPE DATED 2/19/76, FBI SAN FRANCISCO ADVISED:
JSA BROWNING TODAY QUESTIONED PATRICIA HEARST

REGARDING THE LOCATION OF THE FARMHOUSE AT JEFFERSONVILLE,
NEW YORK. HEARST STATED THEY WENT TO THIS FARMHOUSE FROM THE
FARMHOUSE AT HUNESDALE, PENNSYLVANIA, IN WENDY YOSHIMURA'S CAR.
THE FARMHOUSE AT JEFFERSONVILLE WAS RENTED BY MICKI SCOTT AND
IS "NEXT TO JEFFERSONVILLE, NEW YORK." ACCORDING TO PATRICIA
HEARST THE FARM WAS A CREAMERY AND APPARENTLY THE OWNER BUILT A
ONE ROOM NEW FARMHOUSE ON THE PROPERTY. IT IS NOT BELIEVED THAT
THE CREAMERY WAS ALTERED, BUT THIS IS NOT KNOWN. ACCORDING

TO THE TESTIMONY, THEY STAYED THERE FOR TWO MONTHS, AND THEN
RETURNED TO THE HONESDALE FARMHOUSE FOR TWO WEEKS. AT THAT
TIME PATRICIA HEARST, JACK SCOTT, AND SCOTT'S DOG LEFT IN A VAN
FOR LAS VEGAS, THIS TRIP LASTING THREE OR FOUR DAYS. HEARST STATED SHE MET

IT MAY BE NOTED THAT THE CAR PROBABLY BEING OPERATED BY PAUL HOCK
WENDY YOSHIMURA DURING THE PERTINENT PERIOD IS A 1966 RED
VOLKSWAGEN AND AT THAT TIME IT PROBABLY HAD NEW JERSEY PLATES
VRN 867. AT THAT TIME

FOLLOWING HEARST'S TESTIMONY, AGENTS DISCUSSED THIS
MATTER WITH HER ATTORNEYS WHO ADVISED THEY DID NOT KNOW WHERE
THE FARMHOUSE WAS AND DOUBTED IF PATRICIA HEARST COULD FIND
THE FARMHOUSE.

CC: INTELL DIV.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

FEB 20 1976
TELETYPE

Asst. Dir. _____
Dep. Asst. Dir. _____
Dep. Asst. Dir. _____
Asst. Dir. _____
Admin. _____
Comp. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director's Sec'y _____

NR001 NY CODE ON NY825

1:08AM URGENT FEBRUARY 20, 1976 GAB

TO: DIRECTOR, FBI AND SAC'S

NEW HAVEN

PHILADELPHIA

SAN FRANCISCO

FROM: ADIC, NEW YORK

HEARNAP (33- SAN FRANCISCO)

PAUL K. HOCH SM-SLA

REF NY TEL FEBRUARY 19, 1976 CAPTIONED PAUL HOCH AND NY TEL
CALLS TO SAN FRANCISCO, PHILADELPHIA, AND NEW HAVEN.

BY TELETYPE DATED 2/20/76, FBI, NEW YORK ADVISED
ON THIS DATE NYO LOCATED RURAL FARMHOUSE ON CREAMERY ROAD,
JEFFERSONVILLE, NEW YORK WHICH IS BELIEVED TO HAVE HOUSED HEARNAP
FUGITIVES, AND MICKY AND JACK SCOTT.

THIS FARMHOUSE IS IN A REMOTE AREA AND IS DESCRIBED AS A ONE
ROOM DWELLING RECENTLY BUILT OVER A DEFUNCT MILK CREAMERY LOCATED
IN MOUNTAINN OUTSIDE JEFFERSONVILLE NEW YORK. FARMHOUSE IS PRESENTLY
DESERTED AND IS OCCUPIED ONLY AS WEEKEND RESIDENCE BY ~~JOSEPH S. BELL~~

AND IRA WERENBERG

NEIGHBORHOOD INVESTIGATION ABOVE FARMHOUSE NOTES WERENBERG'S TO
BE A ~~WOMAN~~ AT ~~EAR~~ AND NEIGHBORS IDENTIFIED RED VOLKSWAGON
BELONGING TO WENDY YOSHIMURA AT ABOVE FARMHOUSE. NYO INDICES NEGATIVE
~~THE WIFE OF AND IRA WERENBERG~~ NYO RECIPIENT OF NUMEROUS PRESS
INQUIRES RE: LOCATION OF FARMHOUSE.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

Mr. A.D. Adams
Mr. A.D. Jones
Asst. Dir.:
Admin.
Comp. Syst.
Ext. Affairs
Files & Com.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director Sec'y

NR 223 NR CSED

FEB 20 1976

1:35 AM URGENT FEB. 20, 1976 AJS:TELETYPE

TO DIRECTOR, FBI

NEW YORK

PHILADELPHIA

SAN FRANCISCO

FROM NEW HAVEN (7-402)

HEARNAP- 00: SF

~~RAH HOCK- SM-SLA. 00: NY~~

BY TELETYPE DATED 2/20/76, FBI, NEW HAVEN ADVISED:

~~ON 2/19/76 ATTORNEY ELIOT NERENBERG AND WIFE~~

~~_____~~, SIGNED CONSENT TO SEARCH THEIR PROPERTY AT
CALICOON COUNTY ROAD, THE OLD CREAMERY, JEFFERSONVILLE, NEW YORK.
PROPERTY ALSO OWNED BY IRA AND BEVERLY NERENBERG, ~~_____~~

~~NERENBERG~~ ADVISED PROPERTY RENTED IN THE SUMMER OF 1974
BY A WOMAN. RENTAL HANDLED BY IRA AND BEVERLY NERENBERG. ELIOT
~~NERENBERG AND WIFE~~ HAD NO CONTACT WITH THE RENTOR. NOR ARE THEY
AWARE OF ANY INDIVIDUALS WHO MAY HAVE BEEN ON THE PROPERTY WITH
THE RENTOR. ELIOT NERENBERG AND WIFE WENT TO PROPERTY THE
WEEKEND AFTER THE RENTOR HAD VACATED. PROPERTY LEFT UNCLEAN,
CANNED FOOD WAS ALL GONE AND A PATH WAS WORN ON THE FRONT LAWN.
NO ITEMS WERE LEFT BEHIND BY OCCUPANTS.

~~NYO WILL CONTACT IRA AND BEVERLY NERENBERG~~

END

CC: INTELL DIV; ~~_____~~

61

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

TO : MR. ASH *ASH*

FROM : E. F. Johnson *EFJ*

SUBJECT: HEARNAP;
KATHLEEN ANN SOLIAH;
MICHAEL ALEXANDER BORTIN;

DATE: February 23, 1976

A

LATENT PRINT TESTIMONY

Name of Specialist(s) Donald F. McBride & Ronald S. Hurt
Los Angeles, California
Location Oakland, California Date 2-18/20-76

Testified: ☒ Yes ☐ No (If no explain in Remarks:)

Type of Court: ☐ Federal ☒ State
☐ Other (specify _____)

Judge Lionel J. Wilson

Prosecuting Attorney s Michael D. Marcus & Jeff Horner

Defense Attorney Joseph Bortin (subject's father)

Trial by: ☐ Jury ☒ Judge ☒ Other (type Grand Jury _____)

Specimen(s) retained by court Photographs of latent prints and inked prints
of Soliah. *EX-1* *7-15206-7602*

To be returned by Inked prints of Soliah by Mr. Marcus *12 FEB 27 1976*

Results of Trial Still in progress at time of departure

Will be advised by Mr. Marcus & Mr. Horner

Arrived in Washington Date 2/21/76 Time 5:00 PM

Remarks: On 2/18/76 McBride & Hurt testified before the Los Angeles County California grand jury. McBride testified that latent prints from a closet containing explosives and firearms at 288 Precita Avenue, San Francisco, California, were identified as fingerprints of Soliah. Hurt testified that latent prints developed on an Army Firearms Manual, from this same closet, were

7-15200

LC #A-84715

DFM:bas

(CONTINUED OVER)

84 MAR 22 1976

Memorandum to MR. ASH

Hearnap;
Kathleen Ann Soliah;
Michael Alexander Bortin;

7-15200

identified as fingerprints of Kathleen, Josephine and Steven Soliah; Bonnie Jean Wilder; James William Kilgore; Emily and William Harris; Wendy Masako Yoshimura; and Patricia Campbell Hearst.

On 2-19 and 20-76 McBride and Hurt testified in Oakland, California, at a parole revocation hearing for Bortin. McBride testified that latent prints developed on numerous documents recovered from residences at 288 Precita Avenue and 625 Morse Street, San Francisco, California, were identified as fingerprints of Bortin; Hearst; both Harrises; Yoshimura; Steve and Josephine Soliah; Kilgore; Steven Doyle Murphy; and Emily J. Toback. Hurt testified that latent prints developed on a Guns & Politics Magazine, recovered from 288 Precita Avenue were identified as fingerprints of Bortin.

The aforementioned residences were used by Hearnap subjects while in the San Francisco area.

The hearing in Los Angeles, California, for Soliah was for the purpose of obtaining an indictment on Soliah for possession of explosive devices, attempted murder and bombing of local police vehicles.

FEDERAL BUREAU OF INVESTIGATION

Washington, D. C. 20537

REPORT

of the

IDENTIFICATION DIVISION

LATENT FINGERPRINT SECTION

YOUR FILE NO. 7-1976
 FBI FILE NO. REC-42 7-15200 - 7603
 LATENT CASE NO. A-84715

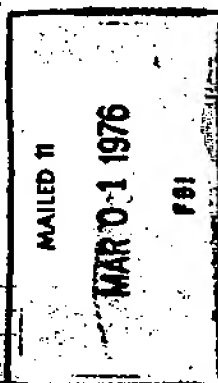
March 1, 1976

TO: SAC, New York

RE: HEARNAP

REFERENCE: Airtel 2-24-76
 EXAMINATION REQUESTED BY: New York
 SPECIMENS: Twelve sections of New York Times newspapers

No latent prints of value developed on specimens.
 Specimens being returned under separate cover.



Assoc. Dir. _____
 Dep. AD Adm. _____
 Dep. AD Inv. _____
 Asst. Dir. _____
 Admin. _____
 Comp. Syst. _____
 Ext. Affairs _____
 Files & Com. _____
 Gen. Inv. _____
 Ident. _____
 Inspection _____
 Intell. _____
 Laboratory _____
 Legal Coun. _____
 Plan. & Eval. _____
 Spec. Inv. _____
 Training _____
 Telephone Rm. _____
 Director Sec'y _____

2 - San Francisco (7-855)

1 - SA Elroy Anthony

Rm 5048 JEH

DEM:djm
(7)

Clarence M. Kelley, Director

THIS REPORT IS FURNISHED FOR OFFICIAL USE ONLY

84 MAR 22 1976

MAIL ROOM ☐ TELETYPE UNIT ☐

FEDERAL BUREAU OF INVESTIGATION
LATENT FINGERPRINT SECTION WORK SHEET

Recorded: 2/26/76 1:15 p.m. ji

Reference No: 7-1976

Received: 2/26/76

FBI File No: 7-15200 7603

Answered: SAC, New York

Latent Case No: 6-84715

Examination requested by: Addressee

Copy to: 2 - SAC, SAN FRANCISCO 7-855

1-SA ELROY, ANTHONY
ROOM 5048 JEH

RE: MARIAP

Date of reference communication: Airtel 2/24/76

Specimens: 12 sections of "New York Times" NEWSPAPERS. A1 → A12

Named Suspects:

DATED 7/74 + 8/74

PAUL HUCH

JAY WILLY

PAUL SHANLEY

JACK SCOTT

MICKI SCOTT

Result of examination:

2-26-76 dm

Examination by: McBride

Evidence noted by:

Specs proc'd N + honed

2-27-76 dm

No lots of value N

No SN - because of age of specs - OK per GR
Specs ret'd NY sep cover

Ansle
DJM: dym
3-1-76

Examination completed

9³⁰ AM
Time

2-27-76
Date

Dictated

2-27-76
Date

FBI

Date: 2/24/76

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)TO: DIRECTOR, FBI (7-15200)
(ATTN: FBI ID/LFS, EXAMINOR DON MC BRIDE)

FROM: ADIC, NEW YORK (7-1976)

SUBJECT: HEARNAP

Enclosed for examination under separate cover is a package containing 12 sections of "New York Times" newspapers identified as items A1 - A12, dated 7/21/74, 7/21/74, 7/23/74, 8/18/74, 7/23/74, 7/21/74, 7/21/74, 8/4/74, 8/8/74, 8/18/74, 7/27/74, and 8/1/74, respectively. These items were recovered on 2/20/76, by SA [REDACTED] at a farm owned by IRA and BEVERLY NERENBERG and ELLIOT NERENBERG, and AMY JAFFEE near Jeffersonville, New York, pursuant to a consent to search.

The FBI ID/LFS is requested to examine the enclosed items for latent fingerprints and to compare all latent prints of value with all subject in Hearnap and in particular with those who may have harbored PATRICIA HEARST such as PAUL HOCH, JAY WEINER, PHIL SHINNICK, and JACK and MICKI SCOTT.

- 3 - Bureau (Encls. 1) EX-110
(1 - ID/LFS)
1 - Package
1 - San Francisco (7-855) (Info)
1 - Philadelphia (Info)
1 - New Haven (Info)
1 - New York (100-) (HOCH)
1 - New York

TBL:jtc
(10)Approved: L. J. 1
Special Agent in Charge

Sent _____ M Per _____

U.S. Government Printing Office: 1972 - 455-574

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

FEB 24 1976

TELETYPE

LA 628

Dep. Atty. Gen. ☐
Asst. Dir. ☐
Admin. ☐
Comp. Syst. ☐
Ext. Affairs ☐
Files & Com. ☐
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Plan. & Eval. ☐
Spec. Inv. ☐
Training ☐
Telephone Rm. ☐
Director Sec'y ☐

NR 008 LA LAIN

3:47 PM NITEL 2-24-76 JMG

TO DIRECTOR (7-15205)

SAN FRANCISCO (7-355)

FROM LOS ANGELES (7-1627) (P)

ATTN: GID, INTD. & OFFICE OF LEGAL COUNSEL

HEARNAP, OO: SAN FRANCISCO.

LOS ANGELES TRIAL OF WILLIAM AND EMILY HARRIS

A PRE-TRIAL MOTION HAS BEEN FILED BY EDWARD A. RUCKER, PUBLIC DEFENDER, AND ADVISOR FOR WILLIAM HARRIS, TO SUPPRESS IN-COURT IDENTIFICATION. HARRIS HAS MOVED THE COURT TO SUPPRESS THE TESTIMONY OF ALL EYEWITNESSES ON THE GROUNDS THAT SUCH TESTIMONY WAS TAINTED BY A PRE-TRIAL PHOTOGRAPHIC PROCESS WHICH DEPRIVED HIM OF DUE PROCESS OF LAW AS GUARANTEED BY THE FIFTH AND 14TH AMENDMENTS.

SAMUEL MAYERSON, ASSISTANT DIRECTOR OF CENTRAL OPERATIONS, LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE, HAS REQUESTED THAT SA GERALD A. THIEL, LOS ANGELES, TESTIFY AT A HEARING FEBRUARY 27, 1976, BEFORE LOS ANGELES SUPERIOR COURT JUDGE MARK BRANDLER. SA THIEL'S TESTIMONY WILL RELATE TO HIS INTERVIEW WITH THOMAS DEAN MATTHEWS, WHO WAS KIDNAPED BY THE HARRISES.

84 MAR 22 1976

PAGE TWO (A 7-1627)

BEARST DURING THE EVENING OF MAY 16, 1974.

ASSISTANT U. S. ATTORNEY WILLIAM J. RATHJE, LOS ANGELES,
ADVISED THAT HE HAS CONTACTED THE DEPARTMENT REGARDING SA
THIEL'S TESTIMONY AND THAT THE DEPARTMENT HAS NO OBJECTIONS.
RATHJE WILL BE IN COURT DURING TESTIMONY OF SA THIEL.

UACB, SA THIEL WILL TESTIFY.

END

cc. legal coun

COMMUNICATIONS SECTION

SF NR 570

NR 029 SF CODE

FEB 26 1976

TELETYPE

BUREAU NITEL FEBRUARY 23, 1976, MJE

TO: DIRECTOR, FBI (7-15200)

LOS ANGELES

FROM: SAN FRANCISCO (7-555)

ATTN: FBI LABORATORY; INTD; GID.

HEARNAP.

SF ADVISED BY
PHONE BY SA GILHAM
OF LAB-OF LFPS
SPECIALIST'S IDENTITY
+ AVAILABILITY 2-27-76.
NO FURTHER ACTION NECESSARY
LFPS.

Dep. Dir. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
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Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

RE EXPERT TESTIMONY NEEDED FOR GOVERNMENT REBUTTAL CASE.

RE SAN FRANCISCO NITEL TO BUREAU FEBRUARY 24, 1976.

IN ADDITION TO FINGERPRINT EXPERT ON ITEM Q2007

THE OFFICE OF THE USA INDICATED THIS DATE THAT IT WOULD

ADDITIONALLY REQUIRE EXPERT TESTIMONY REGARDING ITEM Q2105,

YELLOW SPIRAL NOTEBOOK, SHEET OF PAPER FROM LABORATORY ON

WHICH WRITING REFERS TO THE BOLIVIAN CONSULATE, DOCUMENT

REGARDING SEXISM IN THE SLA. EXPERTS REGARDING THESE ITEMS

SHOULD SIMILARLY BE AVAILABLE FOR CONFERENCE WITH USA BROWNING

SUNDAY, FEBRUARY 29, 1976, IN THE EARLY AFTERNOON AS INDICATED.

IN REMITEL.

END.

REC-42

7-15200-7605

LABORATORY DIVISION
FBI

FEB 26 1976

MAR 4 1976

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84 MAR 22 1976

FEB 27 1976

Mr. Robert B. Cummings
United States Attorney
Alexandria, Virginia 22313

REL:JCK:JJF:egf
157-16-4404

Re: E. Lee
Assistant Attorney General, Civil Division
By: J. Charles Kruse, Acting Chief, Torts Section

Administrative Claim of Bernadine Davis Federouch
in the amount of \$10,000.00 arising out of an
incident on March 15, 1975, in Alexandria, Virginia,
regarding the search for Patricia Hearst

Attn: AUSA James Hubbard

In accordance with your conversation with Mr. Farley
on February 26, 1976, enclosed is a copy of the letter
denying the administrative claim of Bernadine Davis
Federouch. We have enclosed for your information a copy
of the letter from her attorney demanding \$5,000.00 in
settlement.

Enclosures

cc: ~~The~~ Director
Federal Bureau of Investigation
(w/cpy. of Atty's. letter)

RECEIVED

3 12 PM 1976

CONSUMER

REC-42

7-15200-7606

U.S. DEPT. OF JUSTICE

James Hubbard
LEGAL COUNSEL
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPT. OF JUSTICE

23 MAR 1 1976

Hubbard

ENCLOSURE

Hubbard

THREE
574

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

LA 139

NR 052 LA PLAIN

103PM WITEL 2-26-76 DMG

FEB 27 1976
TELETYPE

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Director Sec'y	_____

TO DIRECTOR, FBI (7-15200)

SAN FRANCISCO (7-855)

FROM LOS ANGELES (7-1627) (P)

ATTN: GID, INTD, OFFICE OF LEGAL COUNSEL

HEARNAP, OO: SAN FRANCISCO.

RE LOS ANGELES TRIAL OF WILLIAM AND EMILY HARRIS.

RE LOS ANGELES TELETYPE TO BUREAU AND SAN FRANCISCO

FEBRUARY 17, 1976.

ON FEBRUARY 16, 1976, SA WILLIAM OTTO HEATON TESTIFIED
WITHIN SCOPE OF DEPARTMENTAL AUTHORIZATION IN PRETRIAL
HEARING IN CAPTIONED MATTER.

TESTIMONY IDENTIFIED CARPENTER MAURICE EDWARD PERRY,
AKA ED RIGGS, AS FORMER INFORMANT OF LOS ANGELES DIVISION;
THAT FORMER INFORMANT HAD BEEN FURNISHED PHOTOGRAPHS OF
FUGITIVES, WILLIAM AND EMILY HARRIS, FOR INFORMANT DIRECTION;
WHEN IT WAS LEARNED HE HAD CONTACTED LOCAL PRESS, EFFORTS
WERE MADE TO RETRIEVE PHOTOGRAPHS FROM HIM AND SOME WERE
RETRIEVED; AND HE WAS TERMINATED AS INFORMANT MARCH 31, 1975;
THAT NO DIRECT AUTHORIZATION OR CONSENT WAS EVER GIVEN FOR
PERRY TO DIVULGE, RELEASE OR PUBLICIZE ANY PHOTOGRAPHS BY
ANY METHOD.

IRFC-42

7-15200-7607

FEB 23 3 12 PM '76
MAR 4 1976

84 MAR 22 1976

6-E

PAGE TWO (LA 7-1627)

ON DEFENSE MOTION, JUDGE ORDERED PRODUCTION OF ANY REPORTS FROM INFORMANTS FILE RELATING TO CAPTIONED MATTER. AUSA WILLIAM JOHN RATHJE, PRESENT IN SUPERIOR COURT, OF OPINION DOCUMENTS SHOULD BE PRODUCED. RATHJE IS CONTACTING U.S. DEPARTMENT OF JUSTICE REGARDING THIS MATTER.

REVIEW OF INFORMANT'S FILE DISCLOSES ONE INFORMANT REPORT ON JUNE 16, 1974, SET OUT ON BOND PAPER AND SIGNED BY FORMER SOURCE'S CODE NAME "OTHELLO" WHICH MENTIONS EMILY AND WILLIAM HARRIS.

SAID REPORT IS QUOTED AS FOLLOWS: "ON JUNE 26, 1974, SOURCE ADVISED THAT MC NEAL NELSON HAS STATED TO SOURCE THAT HE, NELSON HAS FURNISHED INFORMATION TO SPECIAL AGENTS OF FBI ABOUT CONTACTS BY SYMBIONESE LIBERATION ARMY (SLA) FUGITIVES, WILLIAM AND EMILY HARRIS, AT YOGA CENTER IN SOUTH CENTRAL LOS ANGELES, CALIFORNIA. SOURCE ADVISED HE KNOWS A FEMALE LEADER OF YOGA CENTER NAMED KRISHNI. KRISHNI AND OTHER PERSONS AT YOGA CENTER WERE ONCE ASSOCIATED WITH

PAGE THREE (LA 7-1027)

MC NEAL NELSON AND HIS COMMUNITY FREEDOM SCHOOL (CFS).
NELSON IS BLACK SEPARATIST AND DOES NOT BELIEVE IN INTEGRATION.
HE, KRISHNI AND OTHERS OF YOGA CENTER SPLIT OVER ISSUE OF
SEPARATISM. YOGA CENTER MEMBERS ARE "THIRD WORLD ORIENTED"
MEANING THEY BELIEVE IN REVOLUTIONARY CHANGE BUT BELIEVE
IN ALLOWING ALL RACES TO PARTICIPATE. SOURCE ADVISES NELSON
IS BITTER AND DISLIKES PEOPLE RUNNING YOGA CENTER AND
WANTS "TO PUT HEAT ON THEM." IT IS SOURCE'S OPINION NELSON
HAS NO CONTACTS OR INFORMATION THAT SLA FUGITIVES HAVE
CONTACTED YOGA CENTER IN SOUTH CENTRAL LOS ANGELES, CALIFORNIA."

IF DEPARTMENT AUTHORIZES PRODUCTION OF THIS DOCUMENT
IT WILL BE FURNISHED IN COURT, UACB, ON TUESDAY, MARCH 2, 1976.
END.

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. Cochran
1 - Mr. Boyd

Assoc. Dir. _____
Dep. AD Adm. _____
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Asst. Dir.: _____
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Training _____
Off. of Cong. & Public Affairs _____
Telephone Rm. _____
Director Sec'y _____

TO : J. Cochran, Jr. *JM*

DATE: 2/27/76

FROM : K. T. Boyd *276*

SUBJECT: HEARNAP

Last evening Chicago polygraph examiner SA Herbert Briick telephonically advised us that he may be called as a defense witness in the prosecution of Patty Hearst. He received this word from Leonard H. Harrelson, President, Leonarde Keeler, Incorporated, Chicago. The Keeler establishment is a prominent polygraph school and F. Lee Bailey early in his career was on its staff. *Dougherty*

It appears that Harrelson was in San Francisco conversing with Bailey on the matter of admissibility of polygraph evidence in the Hearst case and Bailey indicated that he desired to issue a subpoena to a Government polygraph examiner who would be used for the sole purpose of explaining the polygraph technique to the court. Harrelson apparently prevailed upon Bailey not to issue the subpoena until he, Harrelson, had had the opportunity to discuss the matter with Briick. *BA*

Briick has advised Harrelson that he definitely does not favor his being called as a witness in this matter. Briick, by teletype, is advising the Bureau and San Francisco concerning this matter.

Briick was telephonically contacted this morning at which time he advised that he intends to call Harrelson this morning and will immediately provide us with the contents of that conversation. *REC-42 7-15200-7608*

Supervisor Anthony of the General Investigation Division has been advised of this matter.

ACTION:

None. For information.

- 1 - Mr. Adams
- 1 - Mr. Jenkins
- 1 - Mr. Gallagher (Attn: Mr. Anthony)

KTb:bms

84 (6) MAR 23 1976

4 MAR 2 1976

11- LEE COUNTER

FEDERAL BUREAU OF INVESTIGATION

Reporting Office SAN FRANCISCO	Office of Origin SAN FRANCISCO	Date 2/20/76	Investigative Period 11/14/73 - 1/30/76
Title of Case CHANGED MICHAEL ALEXANDER BORTIN, aka Mike Bortin, Red Bortin, John Henderson, Rudy Henderson, Jeffery (ph), Alexander Berkman, Lowell Gale Lawson, Steven S. Markewitz, Maxey A. Bolin, Michael O'Leary		Report made by [REDACTED]	Typed By ekf
		Character of Case EXTREMIST MATTER - SYMBIONESE LIBERATION ARMY	
SUMMARY (HARNAP)			

Title is marked "changed" to reflect additional aliases of BORTIN as determined through review of Alameda County (California) records, including an inventory of items set forth pursuant to the execution of a search warrant of the residence of MICHAEL ALEXANDER BORTIN, 450 - 60th Street, Oakland, California, in April 1972. Certain items inventoried bore the above additional aliases, MARKEWITZ, BOLIN and O'LEARY, and are believed to have been the personal property of MICHAEL ALEXANDER BORTIN.

REFERENCES: San Francisco letter and LHM, 7/16/73.
San Francisco report of SA [REDACTED] 7/23/73,
captioned "WILLIAM HENRY BRANDT; MICHAEL ALEXANDER
BORTIN; ET AL, EID; EID - CONSPIRACY, NFA, OO: San
Francisco, Bufile 174-3138."
San Francisco LHM, 11/14/73.
San Francisco letter to Director, 6/19/75.
San Francisco airtel to Director, 12/12/75.
- P -

Approved [Signature]	Special Agent in Charge	Do not write in spaces below	
Copies made: 5 - Bureau (100-460999) (1 - 7-15200) 1 - USA, San Francisco (Atten: AUSA DAVID P. BANCROFT) 1 - Secret Service, San Francisco 4 - Sacramento (157-3911) (1 - 7-203) (1 - 91-7670) 1 - Los Angeles (7-1627)(INFO) 2 - Cleveland (100-35467) 1 - Philadelphia (INFO) 3 - San Francisco (100-65576) (1 - 7-855)(INFO)		17-15200- NOT RECORDED 102 MAR 1 1976 1-55 1-155 BY 215 3/4/76 JPG/ML	

84 MAR 25 1976

ORIGINAL FILED IN 100-460999-1999

SF 100-65576
LFC:ekf

One copy of report being furnished USSS locally.

Two copies of FD-376 stapled to report.

Enclosed for Sacramento and Cleveland Divisions are photos depicting BORTIN, STEVEN, KATHLEEN, and JOSEPHINE SOLIAH, PAT JEAN MC CARTHY, PATRICIA HEARST, WILLIAM and EMILY HARRIS, WENDY YOSHIMURA, STEPHANIE JONES, and RUDY HENDERSON.

For the information of the Bureau, no information was developed during the period of late 1973 through early 1975 that BORTIN was engaging in subversive activities. Subsequent to that period, the Bureau has been continually advised of all pertinent details of the HEARNAP investigation through SF 7-855 (Bufile 7-15200). Extensive and vigorous investigative attention has been afforded MICHAEL ALEXANDER BORTIN.

Subsequent to 7/73, MICHAEL ALEXANDER BORTIN was an ADEX subject of the San Francisco Division, in view of his conviction in Alameda County, California, for an attempted bombing of the Naval Architecture Building, University of California, Berkeley.

As result of information furnished by Philadelphia source 4389-PCI in early 1975, an investigation was conducted by the San Francisco Division to determine those phone toll calls registered from the personal phones of sports activist JACK SCOTT in Oberlin, Ohio, and SCOTT's father, JOHN SCOTT, in Las Vegas, Nevada. It is noted that both of these individuals have been implicated in the flight and harboring of former fugitive heiress, PATRICIA HEARST. Investigation set forth in the details of this report at 4740 Balboa, San Francisco, Apartment 211, is the result of this phone toll information.

For the information of the Bureau, BORTIN's utilization of the identification of a dead infant, LOWELL GALE LAWSON, was initially investigated by the San Francisco Division as part of the false identity program (Bufile 100-46765). It is noted that [REDACTED] Department of Motor Vehicles, State of California, Division of Compliance, P. O. Box 689, Sacramento, California, phone number 916-322-4387, is currently attempting to obtain process (felony warrant) for BORTIN's California driver's license fraud.

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Alameda authorities are planning to introduce this California driver's license evidence in court 2/19/76 in an effort to revoke BORTIN's probation. It is noted that jurisdiction for this driver's license prosecution lies in the district where application was made, San Francisco. State efforts are continuing to secure felony warrant from District Attorney, San Francisco.

For the information of the Bureau and Cleveland Divisions, Cleveland lead set forth in referenced San Francisco letter, 6/19/75, was prompted by information furnished by BORTIN's probation officer, [REDACTED]. It is noted that [REDACTED] was in no way cooperative with either the FBI or Alameda County authorities during the various HEARNAP inquiries, despite the fact that information incriminating to MICHAEL BORTIN, sufficient to warrant the revocation of his probation was made known to [REDACTED].

Revocation proceedings were initiated instead by the office of the District Attorney, Alameda County, who was obliged to contact the director of Adult Probation, Alameda County, to effect the revocation. During the revocation proceedings, the probation file compiled by [REDACTED] regarding BORTIN was reviewed by Alameda County authorities and reflected an inadequate record of supervision by [REDACTED].

This review also disclosed that BORTIN had indicated to [REDACTED] that he, BORTIN, was to visit [REDACTED] at 48 [REDACTED] Ave, Mansfield, Ohio. This information is contrary to the information previously furnished by [REDACTED].

San Francisco indices disclose that a pro-Maoist [REDACTED] is the subject of an RUC file, 12/65, [REDACTED]. There is no indication that the individual is identical to the possibly fictitious name furnished by BORTIN to probation officer [REDACTED].

San Francisco Division is continuing attempts to determine BORTIN's associations with fugitive

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JAMES WILLIAM KILGORE, STEVEN, KATHLEEN, and JOSEPHINE SOLIAH, and former common law wife, PATRICIA JEAN MC CARTHY, all of whom are implicated in HEARNAP (SF 7-855) matters.

For the information of the Bureau, regarding the 1965 Valiant, California license TMS 100, registered to a RUDY HENDERSON, no latent prints identical to those of MICHAEL ALEXANDER BORTIN were determined on the notice of transfer for the vehicle registration card. This examination was conducted by the California Department of Motor Vehicles, Technical Division.

San Francisco Division has requested personal data regarding BORTIN's U.S. Passport [REDACTED] by submission of FD-356 to WFO.

On 10/2/75, [REDACTED] U.S. Coast Guard, San Francisco, telephone 556-1220, advised that U.S. Merchant Marine Identification "Z" Card, number 558-78-4647, which had previously been issued to MICHAEL ALEXANDER BORTIN, reflected no record of usage in continental United States.

[REDACTED]

b
1

On 10/3/75, SC [REDACTED] St. Louis Division, advised that no record identical to BORTIN was determined through a search of the U.S. Military and Civilian Personnel Records at St. Louis. These records also disclose no record of Federal employment by BORTIN.

Information copies of this report are being furnished to the Sacramento and Los Angeles Divisions in view of their prosecutive interest in alleged Symbionese Liberation Army (SLA) members. Philadelphia Division is being furnished an information copy in view of BORTIN's association with JACK SCOTT. It is noted for the information of Philadelphia, that information furnished by Philadelphia source, PH 4389-PCI, was

SF 100-65576

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directly responsible in developing BORTIN's connection with HEARNAP. Previous investigation by Alameda County authorities at the time of BORTIN's arrest in 1972, indicate that BORTIN was an associate of JACK and MICI SCOTT.

For the information of all receiving offices, MICHAEL ALEXANDER BORTIN is now on probation following his conviction for possession of explosives on 8/2/72. BORTIN served approximately one year in a correctional facility and was then placed under the supervision of the Alameda County, California, Probation Department for a period of four years. His probation is scheduled to expire 8/28/76.

LEADS

CLEVELAND

AT MANSFIELD, OHIO: Conduct logical investigation to identify and interview [REDACTED], not further described, 4311/2 Hickory Lane. Alameda County Probation records reflect that BORTIN requested permission to visit this person during early 1975 and not "MIKE MARTIN" as previously set forth. Corroborate dates and reason for trip as well as [REDACTED] knowledge of BORTIN.

SACRAMENTO

AT BEAR VALLEY, CALIFORNIA: Display enclosed photos to Deputy Sheriff [REDACTED] Bear Valley Sub-Station. [REDACTED] partial owner of the Tamarack Ski Lodge located at Bear Valley, and to HANAN ALTSCHULER, prior owner of the 1960 Valiant driven by SLA associates BORTIN and PAT JEAN MC CARTHY. Determine if any of the individual depicted were observed at Bear Valley during early 1975, and circumstances surrounding sale of 1960 Valiant.

SAN FRANCISCO

AT DALY CITY, CALIFORNIA: (1) Will display photo spread containing photos of both MICHAEL BORTIN and younger brother, JEFFERY BORTIN to the residents of 400 block of Irvington Street, Daly City area, who inferred that an individual resembling MICHAEL BORTIN was representing himself as "JEFFERY".

(2) Will recontact [REDACTED] who currently owns property at 266 Carl Street, San Francisco, to determine the owner of

E

COVER PAGE

SP 100-65576
LPC:ekf

the property during March 1975. It is noted that during March 1975, a vehicle driven by BORTIN was sold to a RUDY HENDERSON, 266 Carl Street. As DMV procedure necessitates mailing of the registration to that address, it is plausible that someone residing therein received same and may be involved in SLA harboring. Photos of all known SLA members and supporters will be displayed to the tenants and owner of that property during March 1975.

AT BERKELEY, CALIFORNIA: Will attempt to reinterview RUDY HENDERSON, 2510 Bancroft Way, Berkeley, Apartment 307, former employer of deceased SLA member NANCY LING PERRY. He has publicly displayed sympathy for the SLA subsequent to the Los Angeles shootout. It is noted that a 1960 Valiant, California license TMS 100, registered to RUDY HENDERSON, 266 Carl, San Francisco, had been driven by Subject, BORTIN.

(2) Attempt to interview STEPHANIE JONES, 1235 Bonita, who has visited WENDY YOSHIMURA while she was incarcerated at the Santa Rita, California, Correctional Facility on 11/9, 19, 30/75. JONES is the owner of a 1965 Ford, California license 092 PCO, in which MICHAEL BORTIN was cited 9/10/74.

AT SAN FRANCISCO, CALIFORNIA: Will follow and report results of BORTIN's probation revocation hearing, scheduled for 2/19/76.



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

February 20, 1976

Director
United States Secret Service
Department of the Treasury
Washington, D. C. 20220

In Reply, Please Refer to
File No. 100-460999

RE: MICHAEL ALEXANDER BORTIN

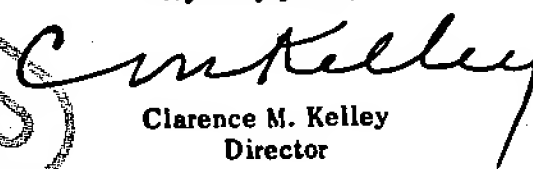
Dear Sir:

The information furnished herewith concerns an individual or organization believed to be covered by the agreement between the FBI and Secret Service concerning protective responsibilities, and to fall within the category or categories checked.

1. ☐ Threats or actions against persons protected by Secret Service.
2. ☐ Attempts or threats to redress grievances.
3. ☐ Threatening or abusive statement about U. S. or foreign official.
4. ☐ Participation in civil disturbances, anti-U. S. demonstrations or hostile incidents against foreign diplomatic establishments.
5. ☒ Illegal bombing, bomb-making or other terrorist activity.
6. ☐ Defector from U. S. or indicates desire to defect.
7. ☒ Potentially dangerous because of background, emotional instability or activity in groups engaged in activities inimical to U. S.

Photograph ☐ has been furnished ☒ enclosed ☐ is not available.

Very truly yours,


Clarence M. Kelley
Director

1 - Special Agent in Charge (Enclosure(s))
U. S. Secret Service, San Francisco

Enclosure(s) (2)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

1 - Secret Service, San Francisco
1 - USA, San Francisco
(ATTN: [REDACTED] AUSA DAVID P. BANCROFT)

Report of:

Date:

February 20, 1976

Field Office File #:

100-65576

Title:

MICHAEL ALEXANDER BORTIN

Office: San Francisco, California

Bureau File #:

100-460999
7-15200

Character:

EXTREMIST MATTER - SYMBIONESE LIBERATION ARMY

Synopsis:

During the period 11/14/73 through 1/75, MICHAEL BORTIN's probationary status reported by Alameda County Adult Probation Officer as satisfactory, in spite of BORTIN's unwillingness to furnish [REDACTED] with a true place of residence. Refusal to furnish same, allegedly based on BORTIN's contention that he is the victim of harassment by law officers. On 3/17/75, BORTIN declined interview with the FBI and telephonically denied any knowledge of the whereabouts of PATRICIA HEARST or WENDY YOSHIMURA. On 9/18/75, HEARST, YOSHIMURA, and STEVEN SOLIAH were arrested at 625 Morse Street, San Francisco, California, WILLIAM and EMILY HARRIS were arrested on same date at 288 Precita. On 9/22/75, BORTIN, utilizing fictitious name, JOHN HENDERSON, is determined to have secured employment for STEVEN, KATHERINE, and JOSEPHINE SOLIAH as well as JAMES WILLIAM KILGORE at Pacifica, California. The SOLIAHs and KILGORE were working in Pacifica, California, up to the time of HEARST's arrest. On 10/15/75, certified complaint filed by USA, San Francisco, charging BORTIN's associate, JAMES WILLIAM KILGORE, with violation title 26, USC, Section 5861d and 5871 for possession of an unregistered bomb device. Complaint filed as result of investigation conducted which indicated that KILGORE was the person contracted to move personal belongings and explosive devices from 401 Irvington Street, Daly City, California to 123 Lyon Street, San Francisco, on 9/21/75. During neighborhood investigation, conducted by the FBI in the vicinity of 401 Irvington, three youths identified BORTIN as identical to an individual purporting to be "JEFFERY" frequenting 401 Irvington in the company of individuals identified as PATRICIA HEARST, WENDY YOSHIMURA, STEVEN SOLIAH, and WILLIAM and EMILY HARRIS. Analysis by the FBI Lab, Washington, D.C., deter-

SF 100-65576

LFC:ekf

mined latent prints identical to those of MICHAEL BORTIN to be found on certain items inventoried at 625 Morse, 288 Precita, and 401 Irvington. Additionally, a California driver's license inventoried at 288 Precita was determined through FBI investigation and DMV experts to be issued to a dead infant in the name LOWELL GALE LAWSON, latent prints identical to those of MICHAEL BORTIN determined on application for same driver's license. On 11/12/76, results of FBI investigation furnished to Alameda County District Attorney's (DA) Office for prosecutive interest. On 11/17/75 DA's Office, Alameda County, California, notified Alameda County Probation Department of prosecutive complaint concerning BORTIN. Upon receipt of this information, Alameda County Probation authorities revoked BORTIN's probation and a bench warrant for BORTIN was issued. After telephonically notifying his probation officer that he would not surrender, inspite of bench warrant, BORTIN voluntarily surrendered to Alameda County Judge SPURGEON AVAKIAN. On 12/23/75, BORTIN was restored to probationary status and a hearing was granted for 1/30/76. Hearing commenced 1/30/76. Under penalty of perjury, BORTIN deposed that he had no knowledge whatsoever of certain allegations and challenged authorities to prosecute him for the California driver's license allegation. Hearing continued until 2/19/76. DA, San Francisco, furnished with totality of evidence determined by FBI and DMV authorities regarding aforementioned California driver's license which was applied for in San Francisco, California. San Francisco anticipates charging BORTIN with felony for fraudulent driver's license, prior to 1/19/76 prosecution, in Alameda.

ARMED AND DANGEROUS.

- P -

SF 100-65576
LFC:lmk

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LFC:ekf
SF 100-65576

67C

DETAILS:

Investigation in this matter was initially predicated upon receipt of information indicating that MICHAEL ALEXANDER BORTIN was engaged in activities which could involve violations of Title 18, United States Code (USC), Section 2383 (rebellion or insurrection), 2384 (seditious conspiracy), and 2385 (advocating overthrow of the United States Government).

During the period from November 14, 1973, through January 1975, periodic and regular contact was maintained by various agents assigned to the Federal Bureau of Investigation (FBI) in San Francisco, California, with [REDACTED] Department of Adult Probation, County of Alameda, 545 East 14th Street, Oakland, California 94606, telephone number 415-874-6966. Commencing June 4, 1973, [REDACTED] supervised the probationary activities of MICHAEL BORTIN, in connection with BORTIN's conviction in August 1972 for possession of explosives. Throughout this period, [REDACTED] consistently assured contacting FBI Agents that BORTIN was exemplary in his deportment and apparently rehabilitating himself to [REDACTED] satisfaction. During the period of June 1973 to approximately September 1974, [REDACTED] advised that BORTIN was residing at 1535 Addison, Berkeley, California, and was employed as a bartender in the Trident Restaurant in Sausalito, California. BORTIN was also allegedly self-employed as a house painter. Effective approximately September 1974, [REDACTED] advised that BORTIN was residing at 2419 Mc Gee, Berkeley, California.

On September 11, 1975, [REDACTED] advised that he had been maintaining close contact with BORTIN. [REDACTED] stated that BORTIN had changed his radical views considerably, and was no longer, in [REDACTED] opinion, a threat as a perpetrator of bombing or other extremist type activities. [REDACTED] advised at this time that he was not certain as to whether BORTIN would be amenable to an interview by Bureau Agents. No attempt was made at this time by the FBI, San Francisco, to interview BORTIN.

In January 1975, information was received by the Philadelphia Division of the FBI that WENDY MASAKO YOSHIMURA, one of BORTIN's codefendants during his 1972 trial and subsequent conviction, had been in the company of PATRICIA CAMPBELL HEARST and BILL and EMILY HARRIS in western Pennsylvania. HEARST, and the HARRISEs were

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renowned Federal fugitives and alleged Symbionese Liberation Army members. YOSHIMURA's whereabouts had been unknown up to this time. On March 15, 1975, SA [REDACTED] telephonically contacted the BORTIN residence in an attempt to locate and interview MICHAEL BORTIN. This call was received by an individual stating that he was MICHAEL BORTIN's brother. BORTIN's brother stated that MICHAEL does not reside at 45 Rockaway but "drops by occasionally for his mail".

On March 17, 1975, JOSEPH L. BORTIN, Attorney at Law, 310 Sansome, Suite 800, San Francisco, California, telephone 415-986-8500, evenings 530-7581, telephonically advised SA [REDACTED] and inquired as to the FBI's interest in his son, MICHAEL ALEXANDER BORTIN. JOSEPH BORTIN was advised by [REDACTED] that this inquiry was directed to his son. JOSEPH BORTIN stated that he would advise his son that [REDACTED] wished to speak with him. Within one month of that date, [REDACTED] again attempted to contact BORTIN by way of telephone, to determine if BORTIN would submit to interview by the FBI regarding the whereabouts of PATTY HEARST, WENDY YOSHIMURA and any affiliation which they may have with sports writer JACK SCOTT. At that time, MICHAEL BORTIN refused an "in person interview" and stated he did not know the whereabouts of PATTY HEARST or the SCOTTs. BORTIN also commented to [REDACTED] at that time that he had met WENDY YOSHIMURA only once, and that was before he was arrested. BORTIN offered no further comment at this time.

On April 10, 1975, Probation Officer [REDACTED] advised SA [REDACTED] that during the period January 9, 1975 to February 3, 1975, MICHAEL BORTIN had visited a MIKE MARTIN, 48 1/2 Hickory Lane, Mansfield, Ohio.

On April 17, 1975, [REDACTED] advised that from approximately September 1974 through December 1974 apartment 211 at this residence had been rented by a MIKE BORTIN. [REDACTED] advised that she knew of no one else residing with BORTIN. [REDACTED] described BORTIN as a house painter by trade, having short reddish-blond hair.

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[REDACTED]
[REDACTED]
It is noted that records of the California Bureau of Investigation, the California Department of Motor Vehicles, and [REDACTED]

[REDACTED] were searched for any record identical to ALEXANDER BERKMAN. This search met with negative results.

On June 19, 1975, FBI, San Francisco, requested that the FBI, Cleveland, conduct appropriate investigation to determine the residence of 48 1/2 Hickory Lane, Mansfield, Ohio. This address, allegedly that of MIKE MARTIN, was the address furnished by BORTIN to Probation Officer [REDACTED] as a point of destination for a trip during the period January 19, 1975 to February 9, 1975.

Investigation conducted by the FBI, Cleveland, disclosed the following information:

The owner and occupant of the residence at 48 1/2 Hickory Lane, Mansfield, Ohio, determined to be [REDACTED] was an employee of [REDACTED]. No record identical to MICHAEL MARTIN, 48 1/2 Hickory Lane was determined through record checks of [REDACTED] Richland County Sheriff's Department, or U.S. Postal Service, Mansfield, Ohio.

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Investigation conducted by the FBI, San Francisco, determined that during the months of July or August, 1975, MICHAEL ALEXANDER BORTIN had been contracted to paint an apartment complex located on Gateway in Pacifica, California.

FBI

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 9/19/75

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██████████ 265 Gateway, Pacifica, California, was advised of the official identity of the interviewing Agents and of the nature of the interview, after which he furnished the following information:

██████████ stated that in his position as ██████████ of the apartments located at the above address, he had had an occasion to hire a painter. He said that a review of the newspaper advertisements reflected a painter, who he later came to know as JOHN HENDERSON who he hired. JOHN HENDERSON is described as follows:

Race	White
Sex	Male
Hair	Red
Weight	160 pounds
Build	Medium
Characteristics	Pronounced freckles

He stated that HENDERSON employed with him an individual who ██████████ knows by the name of STEVE SOLIAH. When HENDERSON completed the initial painting project, he told ██████████ that the check to be used for payment should be made out to MIKE BORTIN and should be mailed to 45 Rockaway Avenue, San Francisco. HENDERSON told ██████████ that he wanted the check to go to BORTIN because he owed BORTIN some money. ██████████ reviewed his records and determined that the check had been sent to MIKE BORTIN, 45 Rockaway Avenue, San Francisco, telephone 664-5861. ██████████ stated that he never personally observed MIKE BORTIN and that he does not know him.

██████████ was asked if he knew how to recontact HENDERSON, to which he replied that HENDERSON told him he could be reached through telephone 564-1827 which HENDERSON advised ██████████ is the phone number for HENDERSON's sister. ██████████ asked HENDERSON, "What do you do when it's raining

Interviewed on 9/15/75 at Pacifica, California File # SF 7-855 - 22851
by SA ██████████ Date dictated 9/19/75

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when you can no longer paint?" to which HENDERSON replied, "I go to Mexico". [REDACTED] advised that he has not seen HENDERSON recently but that his painting is being handled by STEVE SOLIAH, the working mate of HENDERSON. At this point, photographs of STEVE, KATHLEEN and JOSEPHINE SOLIAH were exhibited to [REDACTED] positively identified STEVE and JOSEPHINE SOLIAH as being painters who are presently working for him. He stated that the photograph of KATHLEEN SOLIAH was familiar but that he could not positively identify her as working on the present painting crew. He did state, however, that STEVE normally employs two female painters with him. He also stated that an individual who he knows only as GENE (last name unknown) comes periodically with STEVE or in his place and he, GENE, appears to be the boss as he handles most of the dealings with [REDACTED]

[REDACTED] advised that he expects the painters to come today, September 15, 1975, to complete an apartment which they had been painting on previously. He further advised that he had four or five more apartments which needed painting and that he expected them to be working on these apartments for the next couple of weeks. [REDACTED] advised that he would attempt to determine the license plate number of the vehicle which the painters were using to travel to and from work.

On the same date [REDACTED] was telephonically contacted and he advised that STEVE had not shown up but that GENE (last name unknown) had arrived to do the painting. He advised that the vehicle they had arrived in bears California license UKD 726 and is parked in the parking lot at the rear of the apartments.

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[REDACTED]
phone number 415-564-1827 was subscribed to by BETTY BORTIN, 1318 La Playa, San Francisco, California.

Investigation by the FBI, San Francisco, determined that the occupant of the residence at 1318 La Playa during the month of August 19, 1975, was BETTY CLAIRE BORTIN, date of birth September 4, 1949, the sibling sister of MICHAEL ALEXANDER BORTIN.

Records of the California Law Enforcement Teletype System (CLETS) were checked for the owner of a 1967 Ford, black over tan, California license UKD 726. This search disclosed that on April 29, 1975, EUGENE CURRY, 9533 Pershing Avenue, Orangeville, California, sold this vehicle to JOHN MATHEWS, 2312 H Street, Sacramento, California.

Investigation by FBI, San Francisco, California, could determine no record of California driver's license issued to any individual known as JON MATHEWS, and that the residence 2312 H Street, had been vacant for approximately four years. FBI, Sacramento is continuing attempts to interview CURRY who may now be residing in Orangeville.

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On September 18, 1975, fugitives PATRICIA HEARST, WENDY YOSHIMURA, and WILLIAM and EMILY HARRIS were apprehended by Agents of the FBI, San Francisco, California. HEARST and YOSHIMURA were apprehended at 625 Morse Street, San Francisco, and the HARRISEs were apprehended at 288 Precita, San Francisco.

FEDERAL BUREAU OF INVESTIGATION

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Date of transcription September 23, 1975

While SA [REDACTED] and [REDACTED] Robbery Detail, San Francisco Police Department (SFPD) covered the front door at 625 Morse Street. [REDACTED] Robbery Detail, SFPD, and SA [REDACTED] proceeded up the rear steps across an open area onto a porch at 625 Morse Street. On arriving at the back door, SA [REDACTED] observed that the window was open and that the door was locked.

Two females were observed, and it appeared that they were just starting to get up from a table. One was a white female recognized as PATRICIA CAMPBELL HEARST. The second, an Oriental female, appeared to be identical with WENDY YOSHIMURA.

The two females were told by SA [REDACTED] "FBI, freeze." They were told to "freeze" a second time and, although YOSHIMURA complied, HEARST continued to move, at which time HEARST was told that if she did not "freeze, I'll blow her head off," referring to YOSHIMURA. At this point HEARST complied, and both females raised their hands above their heads.

YOSHIMURA was ordered to move across the room and to open the door which she did, while HEARST continued to hold her position near the north door of the kitchen area.

The officers entered and handcuffed both females, and both acknowledged their identities as WENDY YOSHIMURA and PATRICIA HEARST. They were both asked if there were any other persons on the premises, and they stated there were not. They were asked if there were any explosives in the residence, and they stated that there were none. As they were moved through the premises to verify the fact that there was no one else present, they were asked if there were any weapons on the premises, and HEARST volunteered there were two carbines in the west closet off the front bedroom. When SA [REDACTED] was unable to observe these weapons, HEARST advised that they were hanging under the clothing. At this point the two carbines, loaded with banana clips with no rounds in the chambers, were located.

Interviewed on 9/18/75 at San Francisco, California File # SF 7-855 - 22241
by SA [REDACTED] and SA [REDACTED] Date dictated 9/23/75

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They were then asked again if there were any other weapons on the premises, and WENDY YOSHIMURA volunteered there was a shotgun in the rear bedroom and thereafter pointed out the location under some clothing in a bin in approximately the middle of the west wall of the rear bedroom, from which location a sawed-off shotgun was recovered. Weapon had no round in the chamber, however, four live rounds were located in the magazine.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 9/19/75

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STEVEN FREDERICK SOLIAH was observed by undersigned Agents entering the residence located at 625 Morse Street. SOLIAH was approached and requested to identify himself, at which time he produced a temporary California Drivers License with the name of STEVEN F. SOLIAH thereupon and then advised Agents that he was STEVEN FREDERICK SOLIAH. At this point, SOLIAH was placed under arrest, advised of the identities of the arresting Agents and that he was being charged with harboring and concealing persons that are being sought as Federal fugitives.

SOLIAH was advised of his rights by having them read to him from an Interrogation; Advice of Rights form by Special Agent [REDACTED]. SOLIAH advised he could read and write, that he understood his rights as explained to him, and then signed the form.

SOLIAH advised that he did not wish to speak to anyone concerning this matter until he had time to talk with an attorney.

SOLIAH was then transported to the San Francisco FBI Office by Bureau vehicle where he was photographed and fingerprinted.

SOLIAH was then transported to the San Francisco Police Department City Jail where he was held for safe keeping and for pending arraignment proceedings.

The following is a description of SOLIAH as obtained from observation and interview:

Name	STEVEN FREDERICK SOLIAH
Race	White
Sex	Male
Date of Birth	August 21, 1948
Place of Birth	Fargo, North Dakota
Height	5'8"
Weight	160 pounds

Interviewed on 9/18/75 at San Francisco, California File # SF 7-855 22250
by [REDACTED] and [REDACTED] Date dictated 9/19/75

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Complexion
Hair
Eyes
Social Security
Account Number
Marital status
Residence

Light
Light brown
Blue
549-70-1823

Occupation
Arrest record

Single
Declined to give a place
of residence
Painter, currently unemployed
Arrested for Possession of
Marijuana in Arcadia, California,
1971; disposition - one year
probation; charge - expunged

Relatives
Father

MARTIN SOLIAH
38865 Fox Holm Drive
Palmdale, California

Mother

ELSIE SOLIAH
Same address as above

Sisters

KATHY SOLIAH
Same address as above

MARTHA SOLIAH
Address unknown

JO SOLIAH

Address unknown

Brother

LANCE SOLIAH

Address unknown

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 9/23/75

A surveillance in the vicinity of 288 Precita was initiated at 8:10 A.M., September 17, 1975.

At 10:10 A.M., two white females exited from the stairway of 288 Precita and proceeded diagonally across Precita out of view. The two white females were immediately recognized by the surveilling Agents as being identical to JOSEPHINE and KATHLEEN SOLIAH.

They were next observed at 10:16 A.M. as they turned west off of Folsom on to Precita in a 1967 Ford, four-door, brown over tan, bearing California License UKD 726. They were last observed going north on Shotwell towards Army Street.

At 10:30 A.M., a white female, approximately 20 - 25 years of age, 5'6" - 5'7", 120 - 130 pounds, dishwater blond hair, wearing light blue pants, a dark blue sweater, carrying a brown purse with a shoulder strap and wearing oval glasses with wire frames, was observed to exit 288 Precita and walk west on Precita out of view.

At 10:50 A.M., a white male American who closely resembled WILLIAM TAYLOR HARRIS was observed to exit 288 Precita and walk in a easterly direction towards the corner of Folsom and Precita. He is described as having a dark beard with mustache, wearing glasses, brown pants, black and tan horizontal striped pullover shirt, 5'6" - 5'7", approximately 155 pounds. The individual resembling HARRIS was observed to walk near some parked cars near the previously described intersection, and to pick up from the road bed what appeared to be small rocks or other items which he would then place in his hand and examine. The individual resembling HARRIS, after approximately five minutes in the road, was observed to re-enter the premises.

At 10:30 A.M., an individual resembling HARRIS and a white female who closely resembled EMILY MONTAGUE HARRIS were observed exiting 288 Precita and proceeding east turning south on Folsom out of view. The individual

Interviewed on 9/17-18/75 at San Francisco, California File # SF 7-855-22519
by SA [REDACTED] d 67C kdn Date dictated 9/22/75
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resembling HARRIS was wearing the previously mentioned black and tan horizontal striped shirt with gym trunks. The individual resembling EMILY HARRIS is described as wearing gym trunks and a green top. She is further described as a white female American, approximately 5'5", blond curly hair, 120 pounds, and wearing glasses. After approximately twenty minutes duration, individuals resembling BILL and EMILY HARRIS were observed to re-enter 288 Precita.

At 12:15 P.M., individual resembling BILL HARRIS was observed to exit the premises and travel east on Precita returning approximately two minutes later with a newspaper. Four photographs of HARRIS were taken during his return trip to the apartment.

At 1:20 P.M., a white female, who is identical to the white female who exited at 10:30 A.M., was observed to return and enter the premises.

At 1:30 P.M., a white female who was previously sighted at 10:30 A.M. and 1:20 P.M., was observed to exit the premises. This white female looked identical to the other two sightings with the exception that she was now carrying a green Army colored bag over her right shoulder, as well as a purse. She was observed to exit eastbound on Precita, turning south on Folsom out of view.

At 4:35 P.M., individual resembling WILLIAM TAYLOR HARRIS was observed in purple gym trunks and a blue pullover type shirt, to exit the premises eastbound turning south on Folsom out of view. He was observed to be carrying what appeared to be a laundry bag.

At 4:40 P.M., individual resembling WILLIAM HARRIS returned to the premises without the above mentioned laundry bag.

At 5:03 P.M., individual resembling WILLIAM HARRIS exited the premises, travelling eastbound on Precita and southbound on Folsom out of view.

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At 5:12 P.M., individual resembling WILLIAM HARRIS returned to premises with a laundry bag.

At 5:45 P.M., individual resembling WILLIAM HARRIS exited the premises eastbound on Precita, southbound on Folsom.

At 5:55 P.M., individual resembling HARRIS returned to the premises.

At 6:15 P.M., individual resembling EMILY HARRIS left the house, east on Precita, south on Folsom out of view.

At 6:20 P.M., individual resembling EMILY HARRIS returned to the premises.

At 7:10 P.M., a 1967 Ford, black over tan, bearing California License UKD 726, arrived in front of premises and JOSEPHINE and KATHLEEN SOLIAH entered the residence.

At 7:20 P.M., individual resembling EMILY HARRIS left the house going east on Precita, south on Folsom out of view.

At 7:30 P.M., individual resembling EMILY HARRIS returned to the premises.

At 9:15 P.M., KATHLEEN and JOSEPHINE SOLIAH were observed going westbound on Precita and then walked out of view.

At 9:40 P.M., a white female, approximately 5'3", having dark hair, a green or dark colored sweater, entered the premises coming west from Folsom.

At 11:28 P.M., KATHLEEN and JOSEPHINE SOLIAH were observed returning to the premises.

At 11:33 P.M., all lights were out in the house and no one was visible on the street.

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At 10:00 A.M., September 18, 1975, a station wagon, bluish-gray in color, bearing California License MXC 350, arrived in front of 288 Precita. The driver of the vehicle was STEVEN SOLIAH.

At 10:02 A.M., KATHLEEN and JOSEPHINE SOLIAH exited the premises, proceeded directly across Precita and joined SOLIAH in the previously mentioned vehicle. The vehicle then travelled westbound on Precita out of view.

At 10:30 A.M., a Negro male was observed to enter the premises.

At 10:32 A.M., individual resembling WILLIAM HARRIS and the previously mentioned Negro male exited the premises and proceeded to a white van, bearing California License 068 32X, where HARRIS was observed to examine fish. HARRIS was then observed to return to the residence.

At 12:50 P.M., individuals resembling WILLIAM and EMILY HARRIS were observed to leave the premises westbound on Precita in jogging attire and they then jogged out of view.

At 1:12 P.M., WILLIAM and EMILY HARRIS were observed jogging eastbound on Precita, to discontinue jogging at the intersection of Shotwell and Precita and then walk on the south side of Precita toward the residence, where they were then placed under arrest by FBI Agents.

Surveillance discontinued at time of arrest.

FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 9/22/75

[redacted] 265 Gateway, Pacifica, California, business telephone 355-1944, home telephone [redacted] was advised of the official identity of the interviewing agent and the nature of the interview after which he provided the following:

He stated that STEVE SOLIAH, KATHLEEN and JOSEPHINE SOLIAH, and JIM had arrived at approximately 10:30 a.m. He further stated that they were presently in the process of painting apartments 105 and 147. [redacted] stated that STEVE SOLIAH had come to him at approximately 2:15 p.m. on the same date and had inquired about getting some assistance in cashing a \$2,300 check which had been paid to him for painting services performed at 265 Gateway. [redacted] stated that he had informed STEVE SOLIAH that there was not anything he could do to help him. [redacted] noted that STEVE SOLIAH was not wearing the white painting coveralls which he normally had on anytime after he started painting. At approximately 2:25 p.m. [redacted] went to apartment number 105 and noted that the apartment was vacant. On further viewing, he noted that the radio, which the painters had on, was not there and that the back windows were open and screens were ajar. [redacted] immediately went to apartment number 147 and observed that it was also vacant. He stated that in both apartments it appeared to him that the painters had left rather hastily. At approximately 2:30 [redacted] stated he had received a call from JOHN HENDERSON who wanted to get in touch with STEVE SOLIAH regarding an automobile. [redacted] told HENDERSON that the painters were presently out of the apartments and that he did not know their whereabouts. The caller immediately hung up.

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Interviewed on 9/18/75 at Pacifica, California File # SF 7-855-33329
by SA [redacted] dlw Date dictated 9/22/75

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Date of transcription 9/22/75

[REDACTED] 265 Gateway, Pacifica, California, business telephone number 355-1944, home telephone [REDACTED] was advised of the official identities of the agents and the nature of the interview. [REDACTED] stated that approximately two months ago he had met with an individual known to him as JOHN HENDERSON. [REDACTED] has not seen HENDERSON since that time but has since dealt with STEVE SOLIAH and a man named JIM.

Photographs depicting the following individuals were simultaneously displayed to [REDACTED] in an effort to determine the identity of JOHN HENDERSON. The identities of those depicted were not revealed to [REDACTED]

PETER FITTAPALDI
date of birth May 15, 1953

MICHAEL ALEXANDER BORTIN,
Berkeley Police Department number 28453

[REDACTED] extracted the photograph depicting MICHAEL BORTIN and stated that this individual was identical to a person known to him as JOHN HENDERSON.

Interviewed on 9/22/75 at Pacifica, California File # SF 7-855-23321

SAS [redacted] and 21
by [redacted] w [redacted] Date dictated 9/22/75

FEDERAL BUREAU OF INVESTIGATION

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Date of transcription 9/22/75

[REDACTED] 265 Gateway, Pacifica, California, business telephone 355-1944, home telephone [REDACTED] was advised of the official identities of the interviewing agents and the nature of the interview after which he provided the following:

He stated that JOHN HENDERSON had introduced him to an individual named "JIM". He advised that when first interviewed by SA [REDACTED] on September 15, 1975, he had mistakenly told [REDACTED] that the friend of HENDERSON's to whom he had been introduced was "GENT". He reiterated that upon thinking about the introduction that the friend of HENDERSON's was named JIM [REDACTED] described "JIM" as follows:

Height:	Approximately 5'10"
Weight:	175 pounds
Hair:	Reddish, medium length, slightly wavy.
Characteristics:	Occasionally wears glasses, clean shaven
Age:	Approximately 25 years old.

On this same date photographs depicting the following individuals were simultaneously displayed to [REDACTED]. The identities of those depicted were not revealed to [REDACTED].

[REDACTED]

JAMES W. KILGORE
SSAN 558-68-0622
San Francisco Police Department number 190994

[REDACTED]

Unknown Male
San Francisco Police Department number 250208

Interviewed on 9/22/75 at Pacifica, California File # SF 7-855 -2332A

by SA [REDACTED] and [REDACTED] 22 Date dictated 9/22/75

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[REDACTED]

[REDACTED] extracted the photograph depicting JAMES W. KILGORE, and advised that this individual was identical to the man known to [REDACTED] as "JIM", a friend of JOHN HENDERSON.

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The following investigation was conducted by
SA [REDACTED], at San Francisco, California:

On September 22, 1975, records of the CLETS were searched for any record identical to California license TMS 100. A 1960 Valiant bearing this license plate was observed parked in front of 45 Rockaway, San Francisco, which is the known address of MICHAEL ALEXANDER BORTIN. This search disclosed that this vehicle had been sold on March 16, 1975. The previous owner of this vehicle was registered as HANAN ALTSCHULAR, P. O. Box 111, Bear Valley, California. The new legal owner of this vehicle was registered as RUDY HENDERSON, address 266 Carl Street, San Francisco, California.

On this same date, [REDACTED] San Francisco Police Department, Traffic Warrant Division, phone number 558-4882, furnished the following information regarding those traffic citations of BORTIN:

On January 21, 1974, BORTIN was cited at the corner of Van Ness and Jackson Streets, San Francisco, for improper turns. At the time of the citation, BORTIN was driving a 1963 Rambler sedan, license JUR 469. The sole owner of this vehicle, which was dismantled on March 12, 1975, was JERRY DEWANE or VICKY MAE JACKMAN, address 89 Maitland Drive, Alameda. The vehicle had been dismantled by Bayside Auto Truck Sales, 55 Napoleon Street, San Francisco.

On March 16, 1974, BORTIN was cited while operating a bicycle at the corner of Church and 26th Street, for an arterial violation. At the time of this particular violation, BORTIN furnished a phone number of 647-6109.

On April 10, 1975, BORTIN was cited at the corner of Dubose and Market Streets for an improper turn. At that time BORTIN was driving a 1960 Valiant, California license TMS 100, which is registered to RUDY HENDERSON, 266 Carl Street, San Francisco.

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On September 24, 1975, records of the CLETS were searched for any record identical to RUDY HENDERSON, 266 Carl Street, San Francisco. This search disclosed that a RUDY HENDERSON, 2510 Bancroft Way, Berkeley, California, was the registered owner of a 1975 Chevrolet, license RHI or RHII. The actual owner of this vehicle is HILDRED RUDOLPH HENDERSON, who does live at 2510 Bancroft Way, Apartment 307, Berkeley, California. HENDERSON is a Negro male adult, date of birth November 2, 1926. This individual is also known as "FRUITY RUDY", and was the owner of a fruit juice stand located in Berkeley on Telegraph Avenue. It is noted that no record identical to RUDY HENDERSON, 266 Carl, was determined by a search of the CLETS.

On September 25, 1975, [REDACTED]

[REDACTED] advised as follows:

He managed these apartment for approximately three months. [REDACTED] advised that the occupants of number 266A are as follows: [REDACTED]

The occupants of Apartment 266B, Carl Street, are two sisters, one of which was identified as [REDACTED]. [REDACTED] advised that he is totally unfamiliar with the name BORTIN or HENDERSON. Photographs depicting MICHAEL BORTIN and the SOLIAH sisters were displayed to [REDACTED] who advised that he is totally unfamiliar with these individuals.

On September 26, 1975, [REDACTED] Department of Motor Vehicle Investigations, Fell Street, San Francisco, phone 557-1144, advised that a possible violation of Section 20 of the Penal Code of Vehicle Code, may have been effected if the registered owner of the vehicle does not in fact reside at the address set forth in the registration papers. [REDACTED] then instituted a search of the Department of Motor Vehicle records for comparison purposes of the handwriting on the original registration forms.

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INFORMATION REGARDING CALIFORNIA LICENSE 092 FCQ,
VEHICLE IN WHICH MICHAEL BORTIN WAS CITED ON
SEPTEMBER 10, 1974

A search of the California Law Enforcement Teletype System regarding vehicle registration reflects that from September 18, 1973 until the present, California License 092 FCQ has been assigned to a 1965 Ford, registered owner STEPHANIE LEE JONES, address 1235 Bonita Street, Berkeley, California 94709.

A search of California driver's license information contained in the files of the California Law Enforcement Teletype System disclosed that STEPHANIE LEE JONES had been issued Driver's License Number R0935154. This driver's license reflects the following information regarding JONES:

Date of Birth
License Issued
Expiration
Endorsements
Restrictions
Abstracts

November 17, 1948
October 16, 1972
Birth date, 1976
Two wheel motorcycle
Must wear corrective lenses
Violation, date December 10, 1972,
conviction date December 26, 1972,
Section violation 22356 of the
Vehicle Code, Docket Number 5257,
Court - Coalinga Justice, Fresno
County, Vehicle License 092 FCQ

Violation date July 14, 1975,
conviction date August 7, 1975,
Violation 21457A, Vehicle Code
Docket Number K919681
Court - San Francisco Municipal
Vehicle License ZJY 330

Records of the Alameda County CORPUS disclosed the
following information regarding STEPHANIE L. JONES:

Sex
Race
Date of Birth
Place of Birth
Height
Weight

Female
White
November 17, 1948
Utah
5'4"
120

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SF 100-65576
SF 7-855
LFC/kdn

Hair
Eyes
CII Number

Red
Blue
03893603

On November 12, 1975, visual observation of the address 1235 Bonita, Berkeley, disclosed that a 1973 Volkswagen License 386 JUC was parked in front of said address. Since October 5, 1973, the registered owner of this vehicle has been RICHARD LYMAN ROBINSON or MARIAN SCHOUER, 1235 Bonita Avenue, Berkeley. The legal owner is the University Campus Credit Union, 2440 Bancroft Way, Berkeley, California.

SF 100-65576
LFC:ekf

On September 21, 1975, [REDACTED] General Works Detail, San Francisco Police Department (SFPD), furnished the following information which is set forth in official San Francisco Police Department report form investigated by Officers [REDACTED] and [REDACTED]

XXXXXX
XXXXXX
XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

3 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- ☒ Deleted under exemption(s) b7D with no segregable material available for release to you.
- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
- ☐ Information pertained only to a third party. Your name is listed in the title only.
- ☐ Document(s) originating with the following government agency(ies) _____, was/were forwarded to them for direct response to you.

_____ Page(s) referred for consultation to the following government agency(ies); _____ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

_____ Page(s) withheld for the following reason(s):

☐ For your information: _____

- ☒ The following number is to be used for reference regarding these pages:

7-15200-NR (SF Report 2-20-76)

XXXXXX
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XXXXXXXXXXXXXXXXXXXXXXXXXXX
X DELETED PAGE(S) X
X NO DUPLICATION FEE X
X FOR THIS PAGE X
XXXXXXXXXXXXXXXXXXXXX

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 9/30/75

LUCAS KLAAS KIERS, 188 Winfield Street, Apartment 6, San Francisco, California, telephone (415) 285-5411, was advised of the identities of the interviewing Agents by a show of credentials and then furnished the following information about himself and a man known to him as "PAUL".

On September 20, 1975, KIERS advised that his wife MARGARET told him that she had been called by a man who wanted KIERS to move his furniture and household items from one residence to another. KIERS advised that during the evening of September 20, 1975, the man called him, restated the request for moving services and said he would appear at 188 Winfield about 10:30 a.m. on September 21, 1975.

KIERS stated that the man did come to 188 Winfield at 10:30 a.m., September 21, 1975, identified himself as "PAUL" and handed KIERS two sets of keys, one for his apartment at 401 Irvington Street, Daly City, California, and the other for his new apartment at 123 Lyon Street, San Francisco.

KIERS described "PAUL" as a white male adult, about 27 years of age, about 5'9" or 5'10" tall, with brown hair, wearing a golf hat with a 360 degree brim in the style of a sailor hat, light blue slacks, neatly pressed light sports shirt and appearing very "clean-cut."

KIERS advised that later that day, September 21, 1975, as he entered the premises of 401 Irvington Street, Daly City, the telephone rang and "PAUL" made additional requests of KIERS at that time over the phone. KIERS stated that "PAUL" asked KIERS to move a box of books which were beside the bed in the bedroom, a box at the foot of the bed with papers in it, and then stated that there was one other item which he wished to be moved to his grandmother's house at 1837 San Jose Avenue, San Francisco. He indicated that it was a basket with a sleeping bag and another box. He then advised KIERS that his grandmother would probably not be there at the time but just to set the box over the fence by the back gate.

Interviewed on 9/24/75 at San Francisco, California File # SF 7-855-22871
by SA [REDACTED] SA [REDACTED] Date dictated 9/29/75

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SF 7-855

MAH/crv

KIERS stated that when he arrived at the grandmother's house, the house appeared to him to be completely vacant. At that time he looked into the basket and observed what appeared to him to be a bomb. That is, there was a pipe with a clock taped to it and wires connected from the clock into a hole in the pipe. Also in this basket was a leather case which looked like a binoculars case and inside this case was a .38 revolver which KIERS could see was loaded with bullets.

KIERS stated that after much discussion with his helpers, they decided to continue moving the rest of the items. KIERS noted, however, that when they arrived at 123 Lyon Street, the landlady would not permit him to unload the items inasmuch as the occupants of that address to which the furniture and household items were destined had been evicted by her.

KIERS then returned to his residence, 138 1/2 Field, with all of the household items.

KIERS stated that within an hour "PAUL" telephoned him again to inquire if he had any difficulty in moving the items. KIERS advised PAUL that they had delivered the basket to the grandmother's house and had left it in spite of the fact that no one appeared to be home. He then advised "PAUL" that the landlady at 123 Lyon Street would not permit them to unload the other household items, so he had brought them back to 138 1/2 Field. KIERS stated that "PAUL" did not appear to be concerned, upset, or even nervous with this turn of events. KIERS did not at that time advise PAUL that KIERS had already called the police and had returned to the grandmother's house and delivered the bomb and the basket's other contents to the police.

KIERS expressed grave anxiety for the welfare of himself and his family because he had called the police and the police had leaked his name, address, and telephone number to the press and the press had printed all the above in a story about the bomb. KIERS then stated that he was leaving within the next day or two for [REDACTED] and could be reached in emergency through telephone number [REDACTED]

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SF 7-855
MAH/crv

KIERS then advised that he was extremely aggravated and angry with police agencies in general because of their handling of this incident.

KIERS viewed photograph of the individuals depicted in photographs numbered 1 through 47, with the exceptions of numbers 4, 9, 24, 25, 26 and 33, and identified JAMES WILLIAM KILGORE as the person known to him as "PAUL".

- | | |
|--|-----------------------------|
| 1. PAT JEAN MC CARTHY | 26. KAREN SUSAN GERWITZ |
| 2. KATHLEEN SOLIAH | 27. RICHARD HARPER GRAHAM |
| 3. JAMES KILGORE | 28. WENDY YOSHIMURA |
| 4. JEAN WAH CHAN | 29. EMILY and BILL HARRIS |
| 5. MIKE A. BORTIN | 30. JAMES KILGORE |
| 6. WILLIAM TAYLOR HARRIS | 31. STEVEN FREDERICK SOLIAH |
| 7. JACK and MICKIE SCOTT | 32. EMILY HARRIS |
| 8. MARGARET MARY TURCICH | 33. DAVID WILLIAM GUNNELL |
| 9. PAUL LEONARD HALVERSON | 34. EMILY (J.) TOBACK |
| 10. Unknown bank robber from robbery of Wells Fargo Bank, 447 Sutter Street, San Francisco, November 8, 1974 | 35. JAMES KILGORE |
| 11. EMILY MONTAGUE HARRIS | 36. EMILY HARRIS |
| 12. PETER FITTIPALDI | 37. STEVEN SOLIAH |
| 13. WILLIAM T. HARRIS | 38. EMILY HARRIS |
| 14. WENDY YOSHIMURA | 39. PATRICIA C. HEARST |
| 14a. WILLIAM and EMILY HARRIS | 40. WILLIAM HARRIS |
| 15. JOSEPHINE MARIE SOLIAH | 41. BONNIE JEAN WILDER |
| 16. WILLIAM TAYLOR HARRIS | 42. WILLIAM HARRIS |
| 17. JAMES WILLIAM KILGORE | 43. JOSEPHINE SOLIAH |
| 18. PATRICIA CAMPBELL HEARST | 44. WILLIAM HARRIS |
| 19. JAMES KILGORE | 45. WILLIAM HARRIS |
| 20. ANNA LINDENBERG | 46. JOSEPHINE SOLIAH |
| 21. PATRICIA C. HEARST | 47. WILLIAM HARRIS |
| 22. EMILY HARRIS and Negro Male | |
| 23. WENDY YOSHIMURA | |
| 24. WILLIAM HARRIS | |
| 25. CYNTHIA ANN GARVEY | |

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SF 7-855
MAH/crv

The following description of KIERS was obtained through observation and interview:

Race	Caucasian
Sex	Male
Date of Birth	February 8, 1941, Holland, The Netherlands
U.S. Army Reserve Number	[REDACTED]

KIERS advised that he was fingerprinted in connection with his enlisted reserve duty and that he believes his fingerprints are maintained at the Army Reserve Center at Oakland, California.

Date of transcription 9/30/75

b7C

[REDACTED] 188 Winfield Street, Apartment 6, San Francisco, California, telephone (415) 285-5463, was advised of the identities of the interviewing Agents and thereafter furnished the following information about himself and a man known to him as "PAUL":

[REDACTED] advised that he resides with LUCAS KIERS at the above address and is employed by KIERS as a helper in KIERS' moving company. [REDACTED] advised that on September 21, 1975, at approximately 10:45 a.m., he returned to 188 Winfield and observed a white male adult standing in the kitchen speaking with KIERS regarding movement of that individual's household items later that day. This white male introduced himself as "PAUL" and [REDACTED] described him as being approximately 5'9" or 5'10" tall, about 27 to 28 years of age, brown hair, wearing light blue slacks, very neatly pressed sports shirt, some type of a cap and, according to [REDACTED] was "very clean cut and 'straight' looking."

[REDACTED] advised that as he and KIERS arrived at 401 Irvington Street, Daly City, the telephone rang and it appeared to be "PAUL" with additional requests for items to be moved from 401 Irvington Street to 123 Lyon Street and one other address not known to [REDACTED]

[REDACTED] advised that KIERS spoke with "PAUL" on the phone. [REDACTED] then stated that they loaded the household items in KIERS' truck and they proceeded to 1837 San Jose Avenue, San Francisco. At that address, [REDACTED] stated that, according to KIERS, they were to leave a basket which appeared to contain a sleeping bag and a box with a lid on it. [REDACTED] advised that 1837 San Jose Avenue was obviously a vacant house and so they looked into the box and discovered what appeared to him to be a bomb. [REDACTED] described the device as a pipe, approximately two to three inches thick and approximately a foot or so long, to which was taped a clock which had wires running from the clock and into a hole in the pipe. [REDACTED] stated that KIERS then jerked the wires out of the pipe and after some dis-

Interviewed on 9/24/75 at San Francisco, California File # SF 7-855 - 22872
by SA [REDACTED] crv Date dictated 9/29/75

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MAH/crv

b7c

cussion they called the police, who thereafter took possession of the bomb.

[REDACTED] then said that he and the others proceeded to 123 Lyon Street to unload the rest of the furniture and household items, but that the landlady at that address would not let them. The landlady stated that she had evicted the occupants to whom the household items were destined.

[REDACTED] stated that he and the others involved in this move were extremely agitated at "PAUL" because he had not told them about the bomb. He then stated that had "PAUL" first asked them to move the bomb, they might have, but they did not like being unwitting victims.

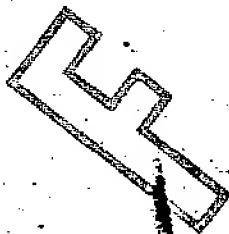
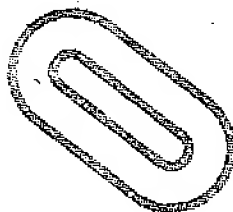
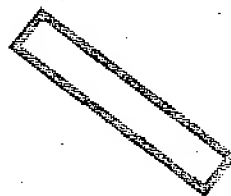
[REDACTED] then viewed photographs of individuals, depicted by number 1 through 47, with the exception of numbers 4, 9, 25, 26, 27 and 33. He identified the photographs of JAMES WILLIAM KILGORE as the man who identified himself as "PAUL".

- | | |
|--|-----------------------------|
| 1. PAT JEAN MC CARTHY | 23. WENDY YOSHIMURA |
| 2. KATHLEEN SOLIAH | 24. WILLIAM HARRIS |
| 3. JAMES KILGORE | 25. CYNTHIA ANN GARVEY |
| 4. JEAN WAH CHAN | 26. KAREN SUSAN GERWITZ |
| 5. MIKE A. BORTIN | 27. RICHARD HARPER GRAHAM |
| 6. WILLIAM TAYLOR HARRIS | 28. WENDY YOSHIMURA |
| 7. JACK and MICKIE SCOTT | 29. EMILY and BILL HARRIS |
| 8. MARGARET MAY TURCICH | 30. JAMES KILGORE |
| 9. PAUL LEONARD HALVERSON | 31. STEVEN FREDERICK SOLIAH |
| 10. Unknown bank robber from robbery of Wells Fargo Bank, 447 Sutter Street, San Francisco, November 8, 1974 | 32. EMILY HARRIS |
| 11. EMILY MONTAGUE HARRIS | 33. DAVID WILLIAM GUNNELL |
| 12. PETER FITTIPALDI | 34. EMILY (J.) TOBACK |
| 13. WILLIAM T. HARRIS | 35. JAMES KILGORE |
| 14. WENDY YOSHIMURA | 36. EMILY HARRIS |
| 14a. WILLIAM and EMILY HARRIS | 37. STEVEN SOLIAH |
| 15. JOSEPHINE MARIE SOLIAH | 38. EMILY HARRIS |
| 16. WILLIAM TAYLOR HARRIS | 39. PATRICIA C. HEARST |
| 17. JAMES WILLIAM KILGORE | 40. WILLIAM HARRIS |
| 18. PATRICIA CAMPBELL HEARST | 41. BONNIE JEAN WILDER |
| 19. JAMES KILGORE | 42. WILLIAM HARRIS |
| 20. ANNA LINDENBERG | 43. JOSEPHINE SOLIAH |
| 21. PATRICIA C. HEARST | 44. WILLIAM HARRIS |
| 22. EMILY HARRIS and Negro male | 45. WILLIAM HARRIS |
| | 46. JOSEPHINE SOLIAH |
| | 47. WILLIAM HARRIS |

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SF 7-855
MAH/crv

The following description of FLURRY was obtained through observation and interview:

Race	Caucasian
Sex	Male
Date of Birth	December 5, 1942, Lamar County, Alabama



SF 100-65576
LFC:ekf

On September 25, 1975, the FBI, San Francisco, conducted a neighborhood investigation in the immediate vicinity of 401 Irvington Street, Daly City, California. The following individuals were interviewed:

F O I R A

Date of transcription September 29, 1975

[REDACTED] Daly City, was interviewed regarding his knowledge of the recent residents of 401 Irvington Street, Daly City, California.

[REDACTED] was shown photographs number 1 through 47 and 62 with the exception of 4, 9, 25, 26, 27, and 33. He identified photos 24 and 45 (WILLIAM HARRIS), photo 31 (STEVE SOLIAH), photo 5 (MIKE A. BORTIN), photo 34 (EMILY TOBACK), photo 15 (WENDY YOSHIMURA), photos 18 and 62 (PATRICIA HEARST). [REDACTED] advised that he had observed the above-identified individuals in an old white car in the vicinity of 401 Irvington and that on several occasions had played football with the individual identified in the photos as WILLIAM HARRIS. [REDACTED] could not furnish dates of these observations.

The following are the photographs shown to DENNIS PEREZ:

- | | |
|--|---------------------------------|
| 1. PAT JEAN MC CARTHY | 21. PATRICIA C. HEARST |
| 2. KATHLEEN SOLIAH | 22. EMILY HARRIS and Negro male |
| 3. JAMES KILGORE | 23. WENDY YOSHIMURA |
| 5. MIKE A. BORTIN | 24. WILLIAM HARRIS |
| 6. WILLIAM TAYLOR HARRIS | 28. WENDY YOSHIMURA |
| 7. JACK and MICKIE SCOTT | 29. EMILY and BILL HARRIS |
| 8. MARGARET MARY TURCICH | 30. JAMES KILGORE |
| 10. Unknown bank robber from robbery of Wells Fargo Bank, 447 Sutter Street, San Francisco, November 8, 1974 | 31. STEVEN FREDERICK SOLIAH |
| 11. EMILY MONTAGUE HARRIS | 32. EMILY HARRIS |
| 12. PETER FATTIPALDI | 34. EMILY (J.) TOBACK |
| 13. WILLIAM T. HARRIS | 35. JAMES KILGORE |
| 14. WENDY YOSHIMURA | 36. EMILY HARRIS |
| 14a. WILLIAM and EMILY HARRIS | 37. STEVEN SOLIAH |
| 15. JOSEPHINE MARIE SOLIAH | 38. EMILY HARRIS |
| 16. WILLIAM TAYLOR HARRIS | 39. PATRICIA C. HEARST |
| 17. JAMES WILLIAM KILGORE | 40. WILLIAM HARRIS |
| 18. PATRICIA CAMPBELL HEARST | 41. BONNIE JEAN WILDER |
| 19. JAMES KILGORE | 42. WILLIAM HARRIS |
| 20. ANNA LINDENBERG | 43. JOSEPHINE SOLIAH |
| | 44. WILLIAM HARRIS |
| | 45. WILLIAM HARRIS |
| | 46. JOSEPHINE SOLIAH |

Interviewed on 9/25/75 at Daly City, California File # SF 7-855

by SA [REDACTED] ac Date dictated 9/26/75

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JWH:sac

47. WILLIAM HARRIS
62. PATRICIA HEARST

F O I R A

FEDERAL BUREAU OF INVESTIGATION

Date of transcription September 29, 1975

On September 25, 1975, [REDACTED]

[REDACTED] Daly City, California, was interviewed regarding his knowledge of the recent residents of 401 Irvington Street, Daly City, California.

[REDACTED] was shown photographs number 1 through 47 and 62 with the exception of 4, 9, 25, 26, 27, and 33. From these photographs, he identified photo 14 (WENDY YOSHIMURA), photos 13, 14a, 24, 29, 40, 44, 45, and 47 (WILLIAM HARRIS) whom he knows as DAVE, photo 31 (STEVE SOLIAH), and photos 18 and 62 (PATRICIA HEARST).

According to [REDACTED] he first observed these individuals unloading an old gray station wagon. At one period during this moving of articles into the residence of 401 Irvington, he observed the individual which he identified in photo number 18 (PATRICIA HEARST) as being alone in front of the residence with a ten-speed bicycle which he described as being white in color and having reflectors on it. This individual was wearing a red shirt and striped pants.

On a later occasion, [REDACTED] observed the individual identified in photo 14 (WENDY YOSHIMURA) and photo 18 (PATRICIA HEARST) at a nearby laundromat.

On a third occasion, after the previously mentioned occasions, [REDACTED] observed the individual in photo 5 (MIKE A. BORTIN) in the vicinity of 401 Irvington. He talked to BORTIN who identified himself as JEFFREY (phonetic).

[REDACTED] was unable to furnish dates but is positive of the identifications made through the photographs.

The following are the photographs shown to [REDACTED]

- | | |
|-----------------------|------------------------------|
| 1. PAT JEAN MC CARTHY | 6. WILLIAM TAYLOR HARRIS |
| 2. KATHLEEN SOLIAH | 7. JACK and MICKIE SCOTT |
| 3. JAMES KILGORE | 8. MARGARET MARY TURCICH |
| 5. MIKE A. BORTIN | 10. Unknown bank robber from |

Interviewed on 9/25/75 at Daly City, California File # SF 7-855
by SA [REDACTED] ac Date dictated 9/26/75

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SF 7-855
JWH:sac

Robbery of Wells Fargo Bank,
447 Sutter Street, San
Francisco, November 8, 1974

11. EMILY MONTAGUE HARRIS
12. PETER FITTIPALDI
13. WILLIAM T. HARRIS
14. WENDY YOSHIMURA
- 14a. WILLIAM and EMILY HARRIS
15. JOSEPHINE MARIE SOLIAH
16. WILLIAM TAYLOR HARRIS
17. JAMES WILLIAM KILGORE
18. PATRICIA CAMPBELL HEARST
19. JAMES KILGORE
20. ANNA LINDENBERG
21. PATRICIA C. HEARST
22. EMILY HARRIS and Negro male
23. WENDY YOSHIMURA
24. WILLIAM HARRIS
28. WENDY YOSHIMURA
29. EMILY and BILL HARRIS
30. JAMES KILGORE
31. STEVEN FREDERICK SOLIAH
32. EMILY HARRIS
34. EMILY (J.) TOBACK
35. JAMES KILGORE
36. EMILY HARRIS
37. STEVEN SOLIAH
38. EMILY HARRIS
39. PATRICIA C. HEARST
40. WILLIAM HARRIS
41. BONNIE JEAN WILDER
42. WILLIAM HARRIS
43. JOSEPHINE SOLIAH
44. WILLIAM HARRIS
45. WILLIAM HARRIS
46. JOSEPHINE SOLIAH
47. WILLIAM HARRIS
62. PATRICIA HEARST

b7C Date of transcription 9/29/75

[REDACTED] Daly City, telephone number [REDACTED] was advised of the identities of the interviewing agents by a show of their credentials and he thereafter furnished the following information regarding himself and the occupants of 401 Irvington, Daly City:

[REDACTED] advised he was born [REDACTED]

[REDACTED] advised that approximately mid May, 1975, he became acquainted with a white male adult who is known to him as "DAVE". [REDACTED] described DAVE as being in his early 30's about 5'5" tall, about 140-150 pounds, with dark brown curly hair and full beard and mustache. [REDACTED] further advised that DAVE always wore glasses, had no noticeable scars or marks, usually wore blue jeans and a corduroy jacket, and always carried a shoulder bag. [REDACTED] advised that because of the way DAVE was dressed, [REDACTED] believed DAVE to be a school teacher.

[REDACTED] advised that DAVE was away from his apartment, 401 Irvington, during the mornings, but was always around the house in the afternoons and evenings.

[REDACTED] noted that he and his friends asked DAVE to play football with them almost every afternoon and that DAVE usually would unless he was working with a friend on that friend's car. [REDACTED] described the friend as a white male, about 34-35 years of age, about 5'8-9" tall, slender build with brown hair and a beginning mustache. [REDACTED] advised that this friend usually wore sweatshirts or sweaters and blue jeans. [REDACTED] described the friend's auto as a Ford LTD about a 1968 model and a light color, possibly light green or beige. [REDACTED] noted that DAVE and his friend were usually working under the car's hood or underneath the car.

[REDACTED] described a woman who also lived at 401 Irvington Street with DAVE as a white female, in her late 20s, about 5'4", slender build, dark brown hair, who always wore slacks

Interviewed on 9/25/75 at Daly City, California File # SF 7-855

SAs [REDACTED] and [REDACTED]
by [REDACTED] C Date dictated 9/26/75

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MAH:klc

67C

and sweatshirt, particularly a faded pink sweatshirt or sweater with several other colors in it. [REDACTED] observed that this woman "stoops a lot and was always washing dishes".

[REDACTED] described a second female who resided at that address as an Oriental female, in her late 20s, about 5'2½", who had long brown hair, generally wore blue jeans and a sweatshirt.

[REDACTED] advised that on two or three occasions he had observed a U-Haul truck and a light colored station wagon pulling a U-Haul trailer at the 401 Irvington Street address. He observed that the activities of the occupants seemed to him to be unusual, in that as they would take things from the house to put into the trailer, they would remove other things from the trailer and put them in the house. [REDACTED] advised that he observed this activity on two or more occasions.

[REDACTED] then stated that on one or more occasions, he had observed a white female riding alone on a white 10-speed bicycle. He described this female as approximately 5'2" tall, blond hair, very slender and in her early 20s.

[REDACTED] viewed photographs of the following individuals number 1-62, and was able to identify the following individuals as having been in or near 401 Irvington Street, Daly City, California:

Numbers 18, 21, 39, 62 of PATRICIA CAMPBELL HEARST as the girl on the white 10-speed bicycle.

Numbers 6, 13, 14a, 16, 24, 29, 42, 44, 45, 47 of WILLIAM TAYLOR HARRIS as the man known to him as DAVE.

Number 5 of MIKE A. BORTIN, known to him as JEFFREY (phonetic).

Numbers 31 and 37 of STEVEN FREDERICK SOLIAH as DAVE's friend with whom DAVE worked on the friend's LTD.

Number 20 of EMILY MONTAGU HARRIS as one of the individuals observed by [REDACTED] during the moving processes.

1. PAT JEAN MC CARTHY
2. KATHLEEN SOLIAH
3. JAMES WILLIAM KILGORE
4. JEAN WAH CHAN
5. MIKE A. BORTIN
6. WILLIAM TAYLOR HARRIS
7. JACK and MICKIE SCOTT
8. MARGARET MARY TURCICH
9. PAUL LEONARD HALVERSON
10. Unknown bank robber from robbery of Wells Fargo Bank, 447 Sutter Street, SF 11/8/74
11. EMILY MONTAGU HARRIS
12. PETER FITTAPALDI
13. WILLIAM TAYLOR HARRIS
14. WENDY YOSHIMURA
- 14a WILLIAM and EMILY HARRIS
15. JOSEPHINE MARIE SOLIAH
16. WILLIAM TAYLOR HARRIS
17. JAMES WILLIAM KILGORE
18. PATRICIA CAMPBELL HEARST
19. JAMES WILLIAM KILGORE
20. ANNA LINDENBERG
21. PATRICIA CAMPBELL HEARST
22. EMILY MONTAGU HARRIS and Negro male
23. WENDY YOSHIMURA
24. WILLIAM TAYLOR HARRIS
25. CYNTHIA ANN GARVEY
26. KAREN SUSAN GERWITZ
27. RICHARD HARPER GRAHAM
28. WENDY YOSHIMURA
29. EMILY and BILL HARRIS
30. JAMES WILLIAM KILGORE
31. STEVEN FREDERICK SOLIAH
32. EMILY MONTAGU HARRIS
33. DAVID WILLIAM GUNNELL
34. EMILY J. TOBACK
35. JAMES WILLIAM KILGORE
36. EMILY MONTAGU HARRIS
37. STEVEN FREDERICK SOLIAH
38. EMILY MONTAGU HARRIS
39. PATRICIA CAMPBELL HEARST
40. WILLIAM TAYLOR HARRIS
41. BONNIE JEAN WILDER
42. WILLIAM TAYLOR HARRIS
43. JOSEPHINE SOLIAH
44. WILLIAM TAYLOR HARRIS

45. WILLIAM TAYLOR HARRIS
46. JOSEPHINE SOLIAH
47. WILLIAM TAYLOR HARRIS
48. [REDACTED]
49. [REDACTED]
50. [REDACTED]
51. REESE WILLIAM ERlich
52. ROBERT WILSON HOOD
53. RAY NELSON HOFSTETTER
54. RAY NELSON HOFSTETTER
55. ROBERT WILSON HOOD
56. [REDACTED]
57. [REDACTED]
58. [REDACTED]
59. [REDACTED]
60. [REDACTED]
61. KATHERINE FRANCES MOYNIHAN
62. PATRICIA CAMPBELL HEARST

SF 100-65576
LFC:ekf

On September 25, 1975, FBI investigation determined that MICHAEL ALEXANDER BORTIN had been contracted to paint a commercial property located at 1998 Union Street, San Francisco. The owner of this establishment was interviewed as set forth.

Date of transcription 9/25/75

JACK SCHAFER, co-owner, SHE Women's Apparel, 1998 Union Street, San Francisco, telephone (415) 921-0520, who resides at [REDACTED] b7c

[REDACTED] was interviewed at his place of business. SCHAFER was advised that this inquiry concerned the identity of a painter who had recently painted the establishment at 1998 Union Street. SCHAFER furnished the following concerning this individual:

Approximately two weeks prior to this date, SCHAFER answered an ad which had been carried in the weekend edition of a newspaper, possibly the "San Francisco Chronicle-Examiner." The ad, which had been featured under the caption "Home Services", set forth a telephone number that SCHAFER personally contacted. The recipient of this call identified himself as MICHAEL BORTIN and advised SCHAFER that he and "his partner" would accept the job. On Wednesday of that week, possibly September 17, 1975, an individual identifying himself as MIKE BORTIN appeared at 1998 Union Street, alone, to commence painting the interior of the store. On the morning of September 19, 1975, SCHAFER received a telephone call from an unknown party, possibly a male, who advised that BORTIN was sick at that time and would complete the job at 1998 Union Street when BORTIN recovered from his sickness.

On September 23, 1975, BORTIN returned to the store and completed the job. On the same day, SCHAFER paid BORTIN for services rendered by check dated September 23, 1975, payable to MIKE BORTIN for \$105.00. This check, #843, was issued by the Bank of America, 286 Union Street. During the period that BORTIN was working at the business establishment, 1998 Union Street, BORTIN orally expressed to SCHAFER some concern and interest regarding the capture of PATRICIA HEARST. BORTIN was observed by SCHAFER to purchase several newspapers which he perused while working, commenting on "PATRICIA HEARST" related articles.

Throughout the duration of the job, BORTIN worked alone. On September 24, 1975, at approximately 4:00 p.m.,

Interviewed on 9/25/75 at San Francisco, California File # SF 7-855
SF 100-65576

by SA [REDACTED] & SA [REDACTED] /sjc b7c Date dictated 9/25/75

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LFC/sjc

BORTIN again telephoned SCHAFER and advised SCHAFER that he had left certain painting items in the basement of the establishment at 1998 Union Street and would return to pick them up on the 24th or 25th of September. During the course of the conversation, BORTIN mentioned to SCHAFER that his personal car was being repaired, necessitating the use of his sister's car for picking up the aforementioned items.

SCHAFER furnished the following descriptive and personal data regarding MICHAEL BORTIN.

Name:	MICHAEL BORTIN
Race:	White
Sex:	Male
Hair:	Red
Eyes:	Blue
Weight:	160 pounds
Height:	5'8"
Build:	Solid
Accent:	Southern-sounding speech pattern
Age:	Approximately 27
Mode of transportation:	Racing bicycle, green in color, possibly Nishiki brand.

A California driver's license photograph depicting MICHAEL ALEXANDER BORTIN, date of birth July 26, 1948, was then displayed to SCHAFER who advised that the individual depicted was identical in appearance to the painter known to SCHAFER as MIKE BORTIN.

Date of transcription 9/25/75

[REDACTED] who was painting the exterior of the business establishment SHE, 1998 Union Street, furnished the following information regarding the individual who had painted the interior of this same establishment.

During the week of September 21, 1975, [REDACTED] had been contracted to paint the exterior of the above establishment. During this period on several occasions [REDACTED] observed an individual painting the interior of the establishment. [REDACTED] engaged in rather limited conversation with this individual. b7c

[REDACTED] furnished the following description of this painter:

Race:	White
Sex:	Male
Height:	Approximately 5'7" - 5'9"
Hair:	Bright red, curly
Facial hair:	Small Van Dyke-type beard

On one occasion [REDACTED] observed the above-described individual attempting to place several paint buckets in the trunk of a vehicle which the individual was driving. [REDACTED] identified this vehicle as a late model Chevrolet Vega, possibly dark blue or black in color.

At that time, [REDACTED] was amused at these attempts in view of the small trunk capacity of the above-described vehicle.

A California driver's license photograph depicting MICHAEL ALEXANDER BORTIN, date of birth July 26, 1948, was displayed to [REDACTED] advised that the individual depicted therein was identical to the painter that he had observed painting the interior premises at 1998 Union Street.

Interviewed on 9/25/75 at San Francisco, California File # SF 100-65576
by SA [REDACTED] sjc Date dictated 9/25/75
SF 7-855

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SF 100-65576
LFC:ekf

On October 15, 1975, SA PATRICK J. WEBB filed a certified complaint at San Francisco, California, charging JAMES WILLIAM KILGORE with violation of Title 26, United States Code (USC), 55861D and 5871 for possession of unregistered bomb device. Complaint authorized by United States Magistrate DAVID URDAN. Bond set at \$100,000 cash of corporate surety bond.

SF 100-65576
LFC:okf

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On September 23, 1975, [REDACTED] Alameda County Adult Probation Officer, 545 East 14th Street, Oakland, telephone 874-6966, advised SA [REDACTED] that he had been in telephonic contact with BORTIN on September 22, 1975. BORTIN called [REDACTED] on that date to request his monthly probation meeting to be set aside for later that week. BORTIN advised [REDACTED] that he would phone [REDACTED] to schedule the meeting. BORTIN advised [REDACTED] at that time that he was concerned about the information set forth in the newspaper which described the SOLIAHs as "Armed and Dangerous". BORTIN related to [REDACTED] that he had been visited by one of the SOLIAHs while incarcerated, and formed a strong friendship with KATHY SOLIAH.

[REDACTED] stated that BORTIN's concern did not appear to be for his own probation status but for KATHLEEN SOLIAH's welfare. At no time during their conversation did BORTIN mention any recent association with the SOLIAHs. [REDACTED] explained to SA [REDACTED] that BORTIN's probation would be in violation if positive information was received that would implicate BORTIN in the following:

- (1) a criminal offense.
- (2) BORTIN's failure to maintain regular employment.
- (3) BORTIN's association with individuals of known criminal records
- (4) any possession of or use of explosive devices by BORTIN.

BORTIN advised [REDACTED] that he could be reached at his mother's address 45 Rockaway, San Francisco, California, telephone 664-5861. [REDACTED] did not request that BORTIN furnish him with his true residence.

On October 21, 1975, FBI, San Francisco, requested the the FBI, Sacramento, conduct appropriate investigation to determine the circumstances and details of the sale of a 1960 Valiant, California license TMS 100. It is noted that an inquiry with the Department of Motor Vehicles, Sacramento, disclose that the 1960 Valiant, four-door sedan, license TMS 100, was reported stolen March 16, 1975.

SF 100-65576

LFC:ekf

The previous owner at that time was determined to be HANAN ALTSCHULER, P. O. Box 265, Berkeley, California, effective March 2, 1972. Effective September 10, 1974, ALTSCHULER's address was in care of P. O. Box 111, Bear Valley, California, Lombard Lane, Bear Valley, California, as previously set forth a fisur conducted at BORTIN's mother's residence, 45 Rockaway, San Francisco, disclosed that a 1960 Valiant, California license TMS 100, parked in proximity to that address was registered to RUDY HENDERSON, 266 Carl Street, San Francisco, California. Investigation at Carl Street, determined no individual identical to RUDY HENDERSON or MICHAEL BORTIN.

Additionally, MICHAEL BORTIN was cited for a moving vehicle violation while operating this vehicle on April 10, 1975.

SF 100-65576

LFC:ekf

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During the early part of November 1975, SA [REDACTED] personally contacted Probation Officer [REDACTED] Alameda County Probation Office. At that time, [REDACTED] advised [REDACTED] that although BORTIN was not maintaining his residence at 45 Rockaway, San Francisco, [REDACTED] did not feel they were grounds for revocation of BORTIN's probation. [REDACTED] stated that in his past contact with BORTIN, it was determined that a phone call directed to 45 Rockaway was sufficient to summons BORTIN for any further probation meetings. [REDACTED] did, however, furnish [REDACTED] with a business card that BORTIN had furnished [REDACTED] early in January 1975 as proof of gainfull employment.

F O I P

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SF 100-65576
SF 7-855
LFC:sac

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INFORMATION REGARDING A BUSINESS CARD REMANDED TO PROBATION OFFICER [REDACTED] ALAMEDA COUNTY ADULT PROBATION, BY MICHAEL BORTIN DURING JANUARY, 1975: "ENDURO PAINTING COMPANY, QUALITY PAINTING - FREE ESTIMATES, MIKE BORTIN, 549-2107, 647-6109"

The following investigation was conducted by SA [REDACTED]

AT SAN FRANCISCO, CALIFORNIA

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[REDACTED] phone number 549-2107 during the period November, 1974, through April 9, 1975, was JAY MELTESEN and said phone was located at 2419 McGee Avenue, Berkeley, California.

On November 4, 1975, records of the Alameda County Tax Assessor's Office were caused to be searched and disclosed that the owners of the property at 2419 McGee Avenue, Berkeley, are FRED and GLADYS WIECZOREK, 2319 Roosevelt, Berkeley, California. An attempt was made to contact the WIECZOREKS on same date but met with negative results at this time. On November 5, 1975, records of the United States Postmaster's Office, San Francisco, California, were searched by [REDACTED] and disclosed that on April 12, 1975, JAY MELTESEN filed a change of mailing address from 2419 McGee Avenue, Berkeley, to 2823 Cherry Street, Berkeley, California. Additional information regarding MELTESEN was determined by a search of the California Department of Motor Vehicles (DMV), California State Bureau of Criminal Investigation and Identification (CII), and San Francisco Police Department (SFPD):

[REDACTED]

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LFC:sac

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[REDACTED]

On November 5, 1975, records of the Alameda County Tax Assessor's Office were searched for the owner of the property at 2823 Cherry Street, Berkeley, California. This search disclosed that the owner of this property is LAWRENCE ARNSTEIN, address 440 Raymond, Santa Monica, California, 90405.

[REDACTED]

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SF 100-65576
LFC/kdn

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The following investigation was conducted by
SA [REDACTED]

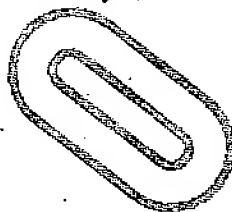
AT BERKELEY, CALIFORNIA

On November 12, 1975, [REDACTED] occupant of 2419 McGee, Berkeley, California, advised that she had resided at that address since October, 1975. [REDACTED] stated that she did not know the prior tenants of that address but had occasionally received mail for some unknown tenants, possibly three weeks prior to this date. [REDACTED] stated that the names "MELTESEN," "MC CARTHY," and "KILGORE" may possibly have appeared on some of the incoming mail. [REDACTED] stated that she definitely recalls receiving mail concerning the University of California at Berkeley, Criminology School, and also mail from the Wells Fargo Bank. [REDACTED] advised that she would contact her Letter Carrier for additional information regarding this mail and also mail from the Wells Fargo Bank.

On November 12, 1975, ROBERT WEICZOREK, address 2139 Roosevelt, who is the son of the past owners of the property located at 2419 McGee, Berkeley, California, advised that he had not known the prior occupants of 2419 McGee very well. WEICZOREK stated that the occupants were two white males and one white female. WEICZOREK offered the following descriptive data concerning these individuals:

Individual #1

Race
Sex
Height
Weight
Hair
Age



White
Male
Approximately 6'1"
180 pounds
Blond, curly
Early twenties

Individual #2

Race
Sex
Age
Height
Hair
Characteristics

White
Male
Early twenties
5'9"
Straight, dark; small goatee
Possibly glasses; "conservative-looking fellow"

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SF 100-65576
LFC/kdn

Individual #3

Race
Sex
Height
Hair
Build
Age
Characteristics
Occupation

White
Female
Approximately 5'9"
Light brown
Slender, approximately 110 pounds
Approximately 25 years old
Possessed a dog named "ROGER"
Drove a taxi, a blue Nova, for a
company possibly known as Taxi
Unlimited, Berkeley based

On the same date, Mrs. GLADYS WEICZOREK was contacted regarding any knowledge she may have had concerning the prior tenants at 2419 McGee. Mrs. WEICZOREK searched her personal records but was unable to determine any rental receipts or contracts. WEICZOREK did, however, locate a notation indicating that on January 1, 1973 the rent at 2419 McGee was paid by CLARENCE R. MELTESEN and SHANNON O'REILLY. WEICZOREK advised that CLARENCE R. MELTESEN was the father of the former resident, JAY MELTESEN. A notation was made that CLARENCE R. MELTESEN resided at 1457 - 38th Avenue, San Francisco, California, 94122. WEICZOREK was unable to furnish any additional information at this time and concluded that the information furnished by her son was correct. It is noted that in the event that Mrs. WEICZOREK must be contacted again, she can be reached during the day at the California Department of Health, Berkeley, California,

[REDACTED]

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 11/14/75

In an attempt to locate and interview JAY XAVIER MELTESEN, SA [REDACTED] approached the occupants of 2823 Cherry Street, Berkeley, California. A white male adult, approximately 25 years old, 5'7", red curly moderate length hair, medium build, wearing wire frame glasses, advised that LARRY ARNSTEIN and JAY MELTESEN resided at that address but were not at home at this time. SA [REDACTED] then identified himself to this individual by display of official FBI credentials and requested to interview this individual.

At this point, the individual, who declined identifying himself, advised that he had nothing to discuss with the FBI as this was his "right." This individual then closed the front door.

While exiting the front porch area of the residence, SA [REDACTED] observed a white male adult, approximately 25 years old, curly brown hair, wearing coveralls, approach the front door from Cherry Street. The approaching individual advised SA [REDACTED] that he did not reside at this address and then proceeded to knock at the front door shouting, "JOHN, open up."

No further attempts were made at this time to interview the occupants of that residence.

Interviewed on 11/12/75 at Berkeley, California File # SF 100-65576-226
by SA [REDACTED] 60 kdn Date dictated 11/13/75

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XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET3

Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- ☒ Deleted under exemption(s) b7C, b7D with no segregable material available for release to you.
- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
- ☐ Information pertained only to a third party. Your name is listed in the title only.
- ☐ Document(s) originating with the following government agency(ies) _____, was/were forwarded to them for direct response to you.

_____ Page(s) referred for consultation to the following government agency(ies); _____ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

_____ Page(s) withheld for the following reason(s):

☐ For your information: _____

- ☒ The following number is to be used for reference regarding these pages:

7-15200-NR (2-20-76)

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 X DELETED PAGE(S) X
 X NO DUPLICATION FEE X
 X FOR THIS PAGE X
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SF 100-65576
LFC:ekf

On the morning of November 14, 1975, MICHAEL BORTIN appeared unannounced at the office of his Alameda County Probation Officer [REDACTED] and requested permission to travel to the state of Georgia. At that time BORTIN advised [REDACTED] that the reason for leaving was to avoid "FBI harrassment".

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 11/18/75

[REDACTED]

[REDACTED]

is aware that MICHAEL ALEXANDER BORTIN previously had been prosecuted in connection with the location of a cache of explosives in Berkeley, California. Within the past two years, [REDACTED] has observed MICHAEL BORTIN on several occasions and readily recognized BORTIN on sight. [REDACTED] has observed MICHAEL BORTIN entering and exiting the residence at 45 Rockaway, but believes that BORTIN infrequently spends the night at that address. [REDACTED] last recalls observing BORTIN at that address approximately six weeks prior to this date. At that time, BORTIN was in the company of a white female and was operating a "junky" gray Volkswagen sedan, possibly a 1965 model.

Interviewed on 11/14/75 at San Francisco, California File # SF 100-65576-
SF 7-855
by [REDACTED] JR./sih 65 Date dictated 11/18/75

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SF 100-65576
LFC:ekf

Subsequent to the arrest of PATRICIA HEARST and WENDY YOSHIMURA at 625 Morse Street, San Francisco, California, and BILL and EMILY HARRIS, 288 Precita Street, San Francisco, copies of all inventories, pertinent documents, and evidence obtained pursuant to the execution of search warrants at 401 Irvington, Daly City, California, 288 Precita, San Francisco, and 625 Morse Street, San Francisco, were disseminated to all San Francisco Bay Area prosecutors having prosecutive interest in the Symbionese Liberation Army (SLA) investigation and the WENDY YOSHIMURA case. These items were furnished to Alameda County authorities by SA LOUIS F. CAPUTO, JR., at the direction and supervision of Assistant United States Attorney (AUSA) DAVID P. BANCROFT, San Francisco. Additionally, BANCROFT authorized the release of the results of an FBI Laboratory examination of certain items inventoried during the execution of search warrants at the Precita, Irvington, and Morse Street addresses. The specific information set forth regarding fingerprint and document examination were furnished by the FBI Laboratory and have been fully substantiated by FBI Lab reports prepared by Latent Fingerprint experts FRANK LEAPLEY and DONALD MC BRIDE. Additionally, the results of FBI, San Francisco, neighborhood investigations at these areas were furnished to Alameda County authorities. The complete results of FBI Laboratory examination of those items pertinent to MICHAEL ALEXANDER BORTIN will be set forth later in this report.

On November 17, 1975, Deputy District Attorney HORNER, Alameda County, submitted the following letter to the Alameda County Probation Department for appropriate action:

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XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET4

Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- ☒ Deleted under exemption(s) b7D with no segregable material available for release to you.
- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
- ☐ Information pertained only to a third party. Your name is listed in the title only.
- ☐ Document(s) originating with the following government agency(ies) _____, was/were forwarded to them for direct response to you.

_____ Page(s) referred for consultation to the following government agency(ies); _____ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

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☐ For your information: _____

- ☒ The following number is to be used for reference regarding these pages:

7-15200-NR (2-20-76)

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SF 100-65576
LFC:ekf

On November 18, 1975, a bench warrant was issued by the Superior Court of the State of California, in and for the County of Alameda, charging MICHAEL ALEXANDER BORTIN with violation of probation having been convicted and placed on probation for the offense of violation of Section 12305, Health and Safety Code. Defendant not to be admitted to bail. Warrant may be served day or night, service not limited to California. Action #52904C; PO #31536731; PFN AEW 851.

SF 100-65576

LFC:ekf

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Among the items inventoried, pursuant to the execution of the search warrant executed at 288 Precita Street, San Francisco, California, were the following items which were located in a green metal box. This box was determined to be within a locked closet that was located in a hallway connecting the two bedrooms at that residence:

- (1) California driver's license, N4820957, issued to LOWELL GALE LAWSON, address 69 1/2 Potomac, San Francisco.
- (2) One copy of a California birth certificate, record number 891, revealing that LOWELL GALE LAWSON was born at Santa Rosa, California, on September 22, 1942, father listed as RALPH LOWELL LAWSON, mother listed as MARY IRENE MC GREW.

These items were found by SAs [REDACTED] and [REDACTED]

On December 10, 1975, a telephonic request was made of the California Department of Motor Vehicles, Technical Division, by SA [REDACTED], to compare the known prints of MICHAEL ALEXANDER BORTIN with any prints determined on the Application for the above described driver's license. This driver's license was issued December 5, 1974, at San Francisco, California, to a LOWELL GALE LAWSON, date of birth September 22, 1942.

On December 11, 1975, [REDACTED] Department of Technical Services, Motor Vehicle Division, Sacramento, California, advised that the latent prints of MICHAEL ALEXANDER BORTIN were determined on the application for the California driver's license of LAWSON.

Investigation conducted by the Sacramento Division of the FBI determined that the time of application "LAWSON" refused to furnish a Social Security Account Number, a previous address, or a thumb print to the California Department of Motor Vehicles, which is a customary practice.

The following investigation had been previously conducted by the Sacramento Division of the FBI:

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 9/22/751

The records of the Registrar's Office, Sonoma County, Santa Rosa, California, were reviewed and revealed the following information regarding LOWELL GALE LAWSON, date of birth September 22, 1942.

The 1942 Birth Certificate Record, Number 891, revealed that LOWELL GALE LAWSON was born at Santa Rosa, California, on September 22, 1942, his father was listed as RALPH LOWELL LAWSON, age 18, employed by the United States Government, Mare Island, Vallejo, California, and his mother as MARY IRENE MC GREW, age 17, residence 702 Petaluma Avenue, Sebastopol.

The 1943 Death Certificate, Number 58, revealed LAWSON died of a heart disease on January 17, 1943, with the same particulars of relatives as above.

b7c

Interviewed on 9/22/75 at San Francisco, California File # SE 7855-2257
by SA [REDACTED] b73 Date dictated 9/22/75

b7c

The following investigation was conducted by S [REDACTED]

AT SACRAMENTO, CALIFORNIA

On 11/24/75, [REDACTED] Bureau of Vital Statistics, advised that a check of the records failed to reveal any request having been received for a copy of the birth certificate in the name of LOWELL GALE LAWSON, dob 9/22/42.

On 11/24/75, [REDACTED] Command Center Special Services Unit, Bureau of Identification, California Department of Justice, advised that a check of the records failed to reveal any arrest record in file for LOWELL GALE LAWSON, dob 9/22/42.

On 12/8/75, [REDACTED] Driver's License Section, California Department of Motor Vehicles furnished copies of driver's license N4820957 in the name of LOWELL GALE LAWSON, 69½ Potomac Street San Francisco, California. He was described as 5'7", 145 lbs., red hair, grey eyes, dob 9/22/42.

SF 100-65576

LFC:ekf

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On December 11, 1975, [REDACTED]
Department of Motor Vehicles (DMV), [REDACTED]
Sacramento, California, caused the known fingerprints of
MICHAEL ALEXANDER BORTIN to be compared with latent prints
evident on the application to California driver's license
number N4820957, which was issued to (LOWELL GALE LAWSON,
date of birth September 22, 1942. The application form,
filed under penalty of perjury of the DMV, which resulted
in the issuance of the above described driver's license in
the name of LOWELL GALE LAWSON contains fingerprints positively
identified as those of MICHAEL ALEXANDER BORTIN.

SF 100-65576
LFC:ekf

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On December 12, 1975, Deputy District Attorney
JEFFERY HORNER advised SA [REDACTED] that he
had been contacted on this date by Alameda County Probation
Officer [REDACTED] advised HORNER that he
[REDACTED] had been contacted telephonically by MICHAEL
BORTIN and advised that BORTIN was aware of the outstanding
bench warrant issued for his arrest but that he "would not
surrender" and was "finished with the system".

67C

On December 16, 1975, radio station KSN-FM 94.5, broadcasted an interview of MICHAEL ALEXANDER BORTIN conducted by reporter DAVID MC QUEEN. Among the comments offered by BORTIN at this time were the following:

BORTIN said he has been subjected to police and FBI "harrassment" which "accelerated greatly" after YOSHIMURA's name emerged in the SLA investigation. BORTIN said he did his best to avoid the FBI "because I had nothing-- absolutely nothing-- to tell them, because I knew nothing."

BORTIN continued he is the reason the District Attorney's Office is opposing any bail reduction in the YOSHIMURA case. BORTIN also added that he doubted his fingerprints were found in the SLA houses, and that "even if they were" it does not prove that he had any recent association with any of the four. "It's a guilt by association," said BORTIN. My probation officer told me the order to revoke my freedom had to come down from way up high and that he was opposed to revocation." BORTIN contended that he has done nothing criminal since his 1972 arrest and has been a model probation subject. BORTIN added "I'm getting a cheap railroad," and what I am doing now is appealing to Judge WILSON to investigate and understand what the situation really is and to see to it that WENDY gets her fair share of justice." BORTIN said that he has not discounted the idea of surrendering himself "if it will get this cleared up... I really don't want to be a fugitive." He said, however, he will need assurance from Judge WILSON, who is hearing YOSHIMURA's bail motion, before he will turn himself in.

On December 22, 1976, Assistant District Attorney, JEFF HORNER, Alameda County, advised SA [REDACTED] that as of December 22, 1975, the warrant for MICHAEL BORTIN had been dismissed. HORNER advised that BORTIN had voluntarily appeared in Alameda County Superior Court this date and surrendered himself to Judge SPURGEON AVAKIAN.

Judge AVAKIAN determined at the hearing that BORTIN did not have proper notice of the revocation hearing before Judge GOLDE. AVAKIAN set aside the revocation and recalled the bench warrant, setting January 30, 1976, for a new hearing.

SF 100-65576
LFC:ekf

On January 30, 1976, in the courtroom of Superior Court Judge LIONELL WILSON, Alameda, County, certain items of evidence for the prosecution were introduced by various Agents of the FBI.

Included in a declaration "in deposition to revoke probation submitted to the Superior Court of Alameda County, California, District 52904, MICHAEL ALEXANDER BORTIN deposed under penalty of perjury that he has no knowledge of the California driver's license and furthermore, BORTIN challenged the prosecution to validate this allegation by officially charging him with a violation which could be proven by "proper evidence by proper jury trial."

SF 100-65576

LFC:ekf

The following information was furnished by the
Federal Bureau of Investigation Laboratory Latent Fingerprint
Section:

F O I P A

Your File No. 7-855
FBI File No. 7-15200
Latent Case No. A-84715

November 6, 1975

RE: MICHAEL ALEXANDER BORTIN, FBI #710110G

Three latent fingerprints developed on the front cover of a book entitled "Guns and Politics," part of item #288-B-81, have been identified with fingerprints of Bortin.

(A)

Your File No. 7-855
FBI File No. 7-15200
Latent Case No. A-84715

November 7, 1975

A

RE: MICHAEL ALEXANDER BORTIN, FBI #710110G

Nine latent fingerprints developed as follows, have been identified as finger impressions of Bortin:

One on book entitled "Guerrilla Warfare and Marxism" (part of item 401-KT-30A to 30AEEE)

Six on book entitled "America After Nixon" (item 401-LR-39)

Two on Dutch Boy color chart 75 (item 401-LR-10A)

The above items were recovered from the residence at 401 Irvington, Daly City, California.

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Your File No. 7-855
FBI File No. 7-15200
Latent Case No. A-84715

December 10, 1975

RE: MICHAEL ALEXANDER BORTIN, FBI #710110G

Eleven latent fingerprints developed as follows
have been identified as finger impressions of Bortin:

One on page 20 of copy of typewritten
message entitled "IN AND BEFORE THIS
HONORABLE MAGISTRATE OF THE PEOPLE,"
part of Q2081 (288-B-34)

One on page 4 of typewritten message
beginning "For years there was a
small gang....," part of Q2081
(288-B-34)

One on one page of yellow spiral notebook,
part of Q2165 (625-D-FBR-21)

One on typewritten page beginning
"We, of the Symbionese....," part of
Q2123 (288-B-35)

One on handwritten and typewritten
page beginning "Clearly we are not....,"
and one on handwritten and typewritten
page beginning "Q. The media often
presents....," parts of Q2125 (288-B-35)

One on piece of paper bearing inked
drawings of two males, part of 625-C-RBR-8
Three on two pages of the ANARCHIST COOKBOOK,
part of 288-B-81

One on typewritten page beginning "there was
little," part of Q2155 (288-C-RBR-24C)

SF 100-65576
LFC:ekf

In addition to the latent prints of Bortin found on book entitled "America After Nixon", Item 401-IR-39, there were latent prints of the following individuals identified:

Emily Montague Harris, FBI Number 325 804 L2
Steven Frederick Soliah, FBI Number 459 813 L9

In addition to the latent prints of Bortin found on book entitled "Guerrilla Warfare and Marxism", (part of Item 401-KT-30A to 30AEEEE) were latent prints of James W. Kilgore, FBI Number 448 488 L10.

In addition to the latent prints of Bortin found on handwritten and typewritten page beginning "Q. The media often presents ...," part of Q2125 (288-B-35) were latent prints of Emily Montague Harris, FBI Number 325 804 L2.

In addition to the latent prints of Bortin found on page 4 of typewritten message beginning "For years there was a small gang ...", part of Q2081 (288-B-34) were latent prints of James William Kilgore, FBI Number 448 488 L10, page 1, Steven Frederick Soliah, FBI Number 459 813 L9.

In addition to latent print of Bortin found in yellow spiral notebook, part of Q2165 (625-D-FBR-21) were latent prints of Patricia Campbell Hearst, FBI Number 325 805 L10, Wendy Masako Yoshimura, FBI Number 3 754 L8, James William Kilgore, FBI Number 448 488 L10.

SP 100-65576
LFC:ekf

The following is descriptive data regarding MICHAEL
ALEXANDER BORTIN:

Date of Birth July 26, 1948
Hair Reddish-blond
Eyes Blue
Height] 5'8"
Weight 155 pounds
Social Security
Account Number 558-78-4647
Aliases Mike Bortin,
 Red Bortin,
 John Henderson,
 Rudy Henderson,
 Jeffery (ph),
 Alexander Berkman,
 Lowell Gale Lawson,
 Steven S. Markewitz,
 Maxey A. Bolin,
 Michael O'Leary
Residence 45 Rockaway
 San Francisco, California
 (parent's address)
Mother MILDRED BORTIN
 45 Rockaway, San Francisco
Father JOSEPH LEONARD BORTIN
 2925 Frye Street, Oakland
 Phone 530-7581
 Attorney, 310 Sansome
 Alaska Commercial Building,
 Suite 800, business phone
 986-8500
Sister BETTY BORTIN,
 Date of birth September 4, 1949
 1318 La Playa, San Francisco
 phone 564-1827
Sister ELISE BORTIN
 2251 - 35th Avenue,
 phone 665-6809
Brother JEFFERY BORTIN
 phone 567-0575
 3255 Sacramento Street
 San Francisco, California
 date of birth February 24, 1953
BORTIN's
Residence as of
January 1976 1159 Masonic, San Francisco

SF 100-65576
LFC:ekf

Merchant Marine
Number
Occupation

Z 558-78-4647-D1
House Painter
(Enduro Painting)
phone 664-5861

F O I R A

SF 100-65576
LFC:ckf

An Alameda County Probation Officer's report
and recommendation of [REDACTED]
[REDACTED], Alameda County, to the Superior Court of the
State of California dated August 2, 1972, setting forth
considerable background information regarding MICHAEL
BORTIV.

57C

F O I P

XXXXXX
XXXXXX
XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

8 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- ☒ Deleted under exemption(s) b7D with no segregable material available for release to you.
- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
- ☐ Information pertained only to a third party. Your name is listed in the title only.
- ☐ Document(s) originating with the following government agency(ies) _____, was/were forwarded to them for direct response to you.

_____ Page(s) referred for consultation to the following government agency(ies); _____ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

_____ Page(s) withheld for the following reason(s):

☐ For your information: _____

- ☒ The following number is to be used for reference regarding these pages:

7-15200-NR (2-20-76)

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XXXXXXXXXXXXXXXXXXXXXXXXXXX
X DELETED PAGE(S) X
X NO DUPLICATION FEE X
X FOR THIS PAGE X
XXXXXXXXXXXXXXXXXXXXX

LA 173

NR 033 LA CODE

550PM NITEL 2/27/76 DMG

TO DIRECTOR, FBI (7-15200)

SAN FRANCISCO (7-355)

FROM LOS ANGELES (7-1627) (P)

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

FEB 28 1976

TELETYPE

Dep. Asst. Dir.:	
Adm.:	
Comp. Syst.:	
Ext. Affairs:	
Files & Com.:	
Gen. Inv.:	
Ident.:	
Inspection:	
Intell.:	
Laboratory:	
Plan. & Eval.:	
Spec. Inv.:	
Training:	
Legal Coun.:	
Telephone Rm.:	
Director Sec'y:	

ATTN: GID, INTD, OFFICE OF LEGAL COUNSEL

REARMAP, OO: SAN FRANCISCO

RE LOS ANGELES TRIAL OF WILLIAM AND EMILY HARRIS.

RE LOS ANGELES NITEL TO BUREAU AND SAN FRANCISCO

FEBRUARY 26, 1976.

TODAY, FEBRUARY 27, 1976, AUSA, LOS ANGELES, JOHN RATHJE CONTACTED RELATIVE TO PRODUCTION OF DOCUMENTS FROM FORMER INFORMANT FILE OF DARTHARD MAURICE EDWARD PERRY, AKA ED RIGGS, LOS ANGELES FILE 170-2658, BUREAU FILE 157-20684, IN RESPONSE TO ORDER OF LOS ANGELES COUNTY SUPERIOR COURT IN PRETRIAL HEARING ON CAPTIONED MATTER.

AUSA RATHJE STRONGLY OF OPINION THAT FD-302 OF TERMINATION INTERVIEW OF PERRY MARCH 31, 1975, BE FURNISHED TO COURT AS IT BOLSTERS AGENT'S TESTIMONY TO IMPORTANT PARTICULARS, ALTHOUGH IT DOES NOT CONTAIN EXPLICIT INFORMATION WITHIN THE ORDER OF COURT FOR INSTRUCTIONS ON CONVERSATIONS ON USE OR DISPOSITION OF PHOTOGRAPHS.

EX-110

REC-42

7-15200-7609

MAR 4 1976

84 MAR 22 1976

6-E

PAGE TWO (LA 7-1627)

AUSA WATHJE ADVISED HE HAS OBTAINED DEPARTMENTAL
APPROVAL TO MAKE AVAILABLE THIS FD-302 TO SUPERIOR COURT.

UACB, THIS DOCUMENT WILL BE FURNISHED IN COURT ON
TUESDAY, MARCH 2, 1976.

COPY OF FD-302 DATED MARCH 3, 1975, AT LOS ANGELES,
CALIFORNIA, FOLLOWS BY FACSIMILE.

END.

cc- Legal Counsel

Transmit attached by Facsimile - ☒ TEXT

FEB 28 1976

Priority

NITEL

TELETYPE

To: DIRECTOR, FBI (7-15200)
 From: LOS ANGELES (7-1627) (P)
 Subject: HEARNAP, DO: SAN FRANCISCO

Date: 2/27/76

Time Transmitted: 954 PM

Initials -

ATTN: GID; INTD; OFF OF LEGAL COUNSEL.

Dep. A.D. Inv.
 Asst. Dir.:
 Admin.
 Comp. Syst.
 Ext. Affairs
 Files & Com.
 Gen. Inv.
 Ident.
 Inspection
 Intell.
 Laboratory
 Plan. & Eval.
 Spec. Inv.
 Training
 Legal Coun.
 Telephone Rm.
 Director Sec'y

☒ Fingerprint Photo ☐ Fingerprint Record ☐ Map ☐ Newspaper clipping ☐ Photograph
☐ Artists Conception ☒ Other FD 302

Special handling instructions:

Re LA nitel to Bu & S.F. 2/27/76

captioned "HEARNAP, Re LA TRIAL OF WILLIAM AND
 EMILY HARRIS." (Request to produce document in response
 to Superior Court order).

Approved: *[Signature]*

EX-110

REC-42

7-15200-7610

ENCLOSURE

MAR 4 1976

MAR 22 1976

6-6

FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 4/1/75

DARTHARD MAURICE EDWARD PERRY, 12126 Compton Boulevard, Los Angeles, California, was located at his residence, and after being advised of his rights as they appear on a standard Advice of Rights form, which he stated he understood and signed, furnished the following information:

PERRY advised that to his knowledge and the best of his information, he had never knowingly or willingly furnished any false information to the FBI.

PERRY advised that he had never revealed his name in connection with his confidential relationship to the Bureau to any outside person. He advised that he would abide by his signed statement of cooperation, dated September 19, 1974, to not publish his activities or attempt to profit from his confidential relationship with the Bureau in any way, and to maintain the confidentiality of his relationship to the Bureau.

PERRY advised he agreed to discontinue his voluntary cooperation with the Bureau, effective this date. PERRY advised that family marital problems and economic hardships demand he seek full time employment. He has accumulated numerous debts and his continued association with extremist-type people would be detrimental to his employment opportunities.

PERRY advised on Thursday, March 27, 1975, he had contacted the Harold Examiner Newspaper on a pretext for the purpose of attempting to obtain a cash advanced retainer to allow him to cover expenses of traveling to San Francisco, California to cover the trial of the San Quentin Six. By obtaining such employment, PERRY intended to furnish the newspaper with legitimate news coverage from the black community standpoint, and to use the opportunity to cover and report to the FBI on extremist subjects.

PERRY advised that he did not reveal his identity to anyone and did not intend to misrepresent himself or

3/31/75Los Angeles, California LA Los Angeles 170-2658

SA WILLIAM OTTO HEATON and

SA DAVID H. FALK/WH/bjg

SA EDWARD G. RIDEELY

Date dictated 3/31/75

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

ENCLOSURE

7-15202-20 17610

cause any embarrassment to the FBI.

PERRY advised that his common law wife, DIANE ZAYES, nee Mack, does not approve of the extremist subjects with whom source has been keeping company, and in addition, his economic hardships require that he cease furnishing information to the Bureau on a voluntary basis until such time as he has resolved his financial and marital difficulties.

DARTHARD PERRY was described as follows from observation and interview:

Date of Birth	April 10, 1944
Place of Birth	Columbia, Mississippi
Race	Negro
Sex	Male
Height	6' 4"
Weight	220 pounds
Eyes	Light brown
Hair	Black
Address	12126 Compton Boulevard Los Angeles, California

Darthard Maurice Edward Perry

CC Legal Counsel

FILE DESCRIPTION

BUREAU FILE

SUBJECT Hearnap

FILE NO. 7-15200

SECTION NO. 134

SERIALS 7611

to

7659

LA 13

FEB 26 1976

2-26-76 LA PLAIN

7:15PM NITEL 2-26-76 DLB

TELETYPE

TO DIRECTOR (7-15220)

SAN FRANCISCO (7-855)

ALEXANDRIA (7-120)

CHICAGO (7-2004)

CLEVELAND (7-1094)

DENVER (7-320)

INDIANAPOLIS (7-1360)

LAS VEGAS (7-313)

NEWARK (7-1105)

NEW YORK (7-1976)

PHILADELPHIA (7-1299)

PHOENIX (7-1299)

PORTLAND (7-483)

SAN DIEGO (7-496)

ALL OFFICES VIA WASHINGTON
FROM LOS ANGELES (7-1627) (P)

ATTN: GID, INTD AND OFFICE OF LEGAL COUNSEL.

PEARLAP, OO: SAN FRANCISCO.

LOS ANGELES TRIAL OF WILLIAM AND EMILY HARRIS
RE LOS ANGELES AIRTEL DATED FEBRUARY 20, 1976, ENCLOSING
COPY OF PRE-TRIAL DEFENSE MOTION ALLEGING GOVERNMENT MISCONDUCT.
SUPERIOR COURT JUDGE MARK BRANDLER, LOS ANGELES, HAS
DENIED ABOVE MOTION.

END

FOR ANY QUESTIONS/CORRECTIONS PLEASE CONTACT THE LOS ANGELES OFFICE

END

EX-112

REC-85

7-15200-7611

MAR 2 1976

TELETYPE TO:

84 MAR 11 1976

(C-Log Cou)

Assoc. Dir.	_____
Dep. A.D.	_____
Dep. A.D.-Inv.	_____
Asst. Dir.:	_____
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Telephone Rm.	_____
Director Sec'y	_____

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

FEB 27 1976

TELETYPE

Dep. A.D.	
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Asst. Dir.:	
Admin.	
Comp. Syst.	
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Gen. Inv.	
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Inspection	
Intell.	
Laboratory	
Plan. & Eval.	
Spec. Inv.	
Training	
Legal Coun.	
Telephone Rm.	
Director Sec'y	

NR002 CG PLAIN

1051AM URGENT 2/27/76 EMM

TO DIRECTOR (7-15200) (99-363)
SAN FRANCISCO

FROM CHICAGO (7-2004)
ATTN LAB DIVISION

HEARNAP; OO: SAN FRANCISCO.

RE CHICAGO TELCALL TO BUREAU, FEBRUARY 26, 1976, AND
BUREAU TELCALLS, FEBRUARY 27, 1976.

FOLLOWING INFO RELATES TO POSSIBLE SUBPOENA OF BUREAU
POLYGRAPH EXAMINER SA [REDACTED] CHICAGO OFFICE,
AS DEFENSE WITNESS THIS CASE.

ON LATE AFTERNOON, THURSDAY, FEBRUARY 26, 1976, LEONARD
HARRELSON, NATIONALLY KNOWN PRIVATE POLYGRAPH EXAMINER,
HEADQUARTERED IN CHICAGO, ILLINOIS, AND WHO HAS BEEN SUBPOENAED
AS DEFENSE WITNESS, ADVISED SA [REDACTED] THAT F. LEE BAILEY IS
STRONGLY CONSIDERING SUBPOENA OF SA [REDACTED] AS DEFENSE WITNESS.
TESTIMONY WOULD CONCERN, AND BE CONFINED TO, THE EFFICACY OF
THE POLYGRAPH TECHNIQUE.

HARRELSON WAS STRONGLY ADVISED THAT SA [REDACTED] NEITHER
PERSONALLY, NOR IN HIS CAPACITY AS AN FBI AGENT, IS DESIROUS OF

Memor (2) Boyd to Cochran
2/24/76 KTB:bms

XEROX

For [REDACTED]

84 MAR 22 1976

3090 JEH

b7c

EX-112

REC-52 7-15200-7612

SIX

b7c

PAGE TWO CG 7-2004

APPEARING AS A WITNESS. HOWEVER, HE WOULD HONOR SUBPOENA IF ONE IS ISSUED.

HARRELSON WAS ADVISED BY SA [REDACTED] THAT IF HE WERE SUBPOENAED, AND SUBSEQUENTLY APPEARED, AS WITNESS, HIS TESTIMONY WOULD BE IN TOTAL ACCORD WITH BUREAU POLICY RE EFFICACY OF POLYGRAPH, WHICH IS THAT THE FBI DOES NOT CONSIDER POLYGRAPH EXAMINATIONS AS SUFFICIENTLY PRECISE TO PERMIT ABSOLUTE JUDGEMENT OF GUILT OR NON-GUILT (LIE OR TRUTH) WITHOUT QUALIFICATION.

67c

[REDACTED]

BUREAU AND SAN FRANCISCO WILL BE KEPT IMMEDIATELY ADVISED OF ANY FURTHER INFO RECEIVED RE ABOVE.

END.

BAS ACK NR001 & NR002 FBI

HQ

cc - [Signature]

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAR 01 1976

TELETYPE

Assoc.	
Dep.-A.D.-Adm.	
Dep.-A.D.-Inv.	
Asst. Dir.:	
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Spec. Inv.	
Training	
Legal Coun.	
Telephone Rm.	
Director Sec'y	

LA 218

NR 002 LA PLAIN

1:05 PM NTEL 2-30-76 JMG

TO

DIRECTOR (7-15200)

SAN FRANCISCO (7-855)

FROM

LOS ANGELES (7-1627) (B)

ATTN: CID, INTD & OFFICE OF LEGAL COUNSEL

CITERNAP

BERNAP, OO: SAN FRANCISCO.

LOS ANGELES TRIAL OF WILLIAM AND EMILY HARRIS

LAST WEEK, THE FOLLOWING SAN FRANCISCO AGENTS TESTIFIED
ON FEBRUARY 23, 1976, IN CONNECTION WITH DEFENSE PRE-TRIAL
MOTION REGARDING THE LEGALITY OF FBI ENTRY AT 288 PRECITA AND
625 MORSE, SAN FRANCISCO:

ASAC LAWRENCE G. LAWLER

SA RAYMOND M. CAMPOS

SA FRANK R. DOYLE, JR.

SA LEO S. BRENNISEN

ON FEBRUARY 25, 1976, SAC CHARLES BATES, SAN FRANCISCO,
AND ROBERT LEWIS STEVENSON, III OF THE DEPARTMENT TESTIFIED
IN CONNECTION WITH PRE-TRIAL MOTION REGARDING PREJUDICIAL PRE-
TRIAL PUBLICITY.

REC-52

7-15200-76

EX-112

MAR 4 1976

84 MAR 22 1976

PAGE TWO (LA 7-1627)

ON FEBRUARY 26, 1976, SA WILLIAM OTTO HEATON, LOS ANGELES,
TESTIFIED IN CONNECTION WITH THE SAME MOTION.

LOS ANGELES COUNTY SUPERIOR COURT JUDGE MARK BRANDLER HAS
NOT YET RULED ON EITHER OF THE ABOVE MOTIONS.

BUREAU AND SAN FRANCISCO WILL BE KEPT ADVISED OF PERTINENT
DEVELOPMENTS.

END

cc legal coun

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

Dep. A. ☒
Dep. A.D.-Inv. ☒
Asst. Dir. ☒
Admin. ☒
Comp. Syst. ☒
Files & Com. ☒
Gen. Inv. ☒
Ident. ☒
Inspection ☒
Intell. ☒
Laboratory ☒
Plan. & Eval. ☒
Spec. Inv. ☒
Training ☒
Legal Coun. ☒
Telephone Rm. ☒
Director Sec'y ☒

SF NR 631

MAR 01 1976

NR 010 SF CODE

TELETYPE

4:30 PM ITEL 3/1/76 MCC

TO: DIRECTOR, FBI (7-15200)

FROM: SAN FRANCISCO (7-855) (P)

ATTN: LEGAL COUNSEL

OHEARNAP, OO: SAN FRANCISCO.

RE MICHAEL ALEXANDER BORTIN.

RE SAN FRANCISCO TELETYPE TO BUREAU, JANUARY 27, 1976.

SA DONALD S. RICHARDS (SAN FRANCISCO), WHO WAS TO TESTIFY REGARDING THE ARREST OF STEVEN F. SOLIAH AT 625 MORSE STREET, IS PRESENTLY ATTENDING IN SERVICE AT FBI, QUANTICO. SA THOMAS J. BURCHFIELD (SAN FRANCISCO) WILL BE TESTIFYING, UACB, IN THE PLACE OF SA RICHARDS. THIS MATTER HAS BEEN DISCUSSED WITH USA JAMES L. BROWNING, AND HE ADVISED THAT HE HAS NO OBJECTION TO SA BURCHFIELD TESTIFYING IN THIS MATTER.

THE PROBATION REVOCATION HEARING REGARDING BORTIN HAS BEEN CONTINUED TO MARCH 4, 1976. SA BURCHFIELD WILL BE EXPECTED TO OFFER TESTIMONY ON THIS DATE, UACB.
END.

EX-112

REC-52 7-15200-7614

MAR 4 1976

84 MAR 22 1976

6-Ea

PLAINTEXT

TELETYPE

NITEL

3-1-76

TO: SAC, SAN FRANCISCO (7-855)

FROM: DIRECTOR, FBI (7-15200)

HEARNAR

REURAIRTEL FEBRUARY 23, 1976.

LATENT PRINT DEVELOPED ON SHEET OF NOTEBOOK
PAPER, Q2321, IDENTIFIED WITH IMPRESSION OF RIGHT THUMB
OF MICHAEL ALEXANDER BORTIN, FBI #710110G.

LABORATORY REPORT SEPARATE.

CONFIRMING.

RSH: jah
(4)

EX-112

REC-52

7-15200-7415

MAR 4 1976

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir. _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAR 1 1976

TELETYPE UNIT

Telephone Rm. _____
MAR 4 1976
TELETYPE UNIT ☐

GENERAL INVESTIGATIVE DIVISION
FARNAP

This concerns the ongoing trial of Patricia Campbell Hearst in San Francisco, California, on 2/26/76.

Doctor Martin Theodore Orne, Research Psychiatrist, University of Pennsylvania, continued his testimony concerning his evaluation of Hearst's mental condition. Orne indicated that the sum of the examinations he conducted disclosed that Hearst was not simulating (fabricating).

Assistant U. S. Attorney (AUSA) Bancroft handled cross examination of Orne and brought out the fact that Orne had previously testified in Los Angeles trial that psychiatrists were not very good at determining the trust of specific statements. Orne admitted to this testimony and added, however, that psychiatrists were, through their expertise, able to determine whether a person is simulating a psychological condition. AUSA Bancroft also asked Orne if he had made studies of other young female members of the SLA to determine if they had similarities with Hearst in background. Orne replied that he did not and stated "Of course, I probably should have."

Additional information furnished by San Francisco reveals that the San Francisco Chronicle newspaper was in receipt of a purported SLA communication postmarked Pennsylvania, Zip Code 180, contents of which carried a death threat for Judge Carter, attorneys Bailey and Browning, and witnesses Matthews and Shepard. This communique was from individual/s identifying themselves as the "SLA Eastern Region - Emmaus." Investigation continuing regarding this extortion matter.

Trial to be resumed a.m., 2/27/76.

- 1 - Mr. Callahan
- 1 - Mr. Adams
- 1 - Mr. Cochran
- 1 - Mr. Mintz
- 1 - Mr. Moore
- 1 - Mr. Wannall

GLP:erg

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

FEB 26 1976

TELETYPE

Dep. A.D. Admin.	
Dep. A.D. Inv.	
Asst. Dir.:	
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Legal Coun.	
Telephone Rm.	
Director's Sec'y	

SF NR 643

NR 029 SF CODE

6:34PM N TEL FEBRUARY 26, 1976, MJE

TO: DIRECTOR, FBI (7-15200)

LOS ANGELES

FROM: SAN FRANCISCO (7-855) (P)

ATTN: INTD - GID.

HEARNAP.

RE TRIAL OF PATRICIA HEARST, FEBRUARY 26, 1976.

TRIAL RESUMED WITH F. LEE BAILEY CONTINUING DIRECT EXAMINATION OF DOCTOR ORNE.

ORNE EMPHASIZED HEARST'S TENDENCY TO RESPOND TO SITUATIONS AND QUESTIONS IN TERMS OF EFFECTS ON INDIVIDUALS. SHE DEMONSTRATED VERY LITTLE INCLINATION TOWARD ABSTRACT THOUGHT, ETC. ORNE CONTRASTED THIS TENDENCY ON

MISS HEARST'S PART WITH THE LANGUAGE IN THE SLA TAPES AND MANUSCRIPTS WHICH IS ASCRIBED TO HER WHEREIN THE WRITER OR SPEAKER DEMONSTRATES EXTREME CONCERN WITH IDEOLOGY AND ABSTRACT THOUGHT.

HE TESTIFIED AS TO HEARST'S AMNESIA WHICH SEEMED MOST MANIFEST CONCERNING THE "MOST STRESSFUL EVENTS OF HER INVOLVEMENT WITH SLA", SUCH AS THE TAPES.

EX-112

REC-52 7-15200-76/6

MAR 4 1976

8 4 MAR 22 1976

PAGE TWO

SF 7-855

HE INDICATED THAT PSYCHIATRISTS COMMONLY LOOK TO SEE IF THERE IS A SELF-SERVING PATTERN TO THE AMNESIA AND DETERMINED THAT THERE HAD NOT BEEN BECAUSE THERE WERE THINGS HELPFUL TO MISS HEARST'S CASE WHICH HAD BEEN LEFT OUT OF INITIAL INTERVIEWS.

ORNE INDICATED THE "TRAUMATIC NEUROSES" FROM WHICH MISS HEARST SUFFERED WAS SEEN ONLY IN RETURNING MILITARY PRISONERS OF WAR.

ORNE INDICATED HE WAS IMPRESSED BY THE "TREMENDOUS IMPROVEMENT" IN MISS HEARST BETWEEN THE TIME OF HIS FIRST EXAMINATION OF HER IN MID-DECEMBER TO THE PRESENT TIME.

HE INDICATED THAT HIS EXAMINATION AND ANALYSIS OF MISS HEARST DISCLOSED THAT SHE WAS FORCED BY THE SLA TO BECOME AN OUTLAW AND SEEK REFUGE FROM THE LAW WITH THE SLA.

HE PLACED SIGNIFICANCE ON THE STATEMENT OF ATTORNEY GENERAL **SAXBE** REGARDING HEARST BEING A "COMMON CRIMINAL", TESTIFYING THAT THAT STATEMENT HAD A "HUGE IMPACT" IN THAT HEARST WOULD AT THAT POINT HAVE TO KEEP UP THE HOPE THAT PEOPLE

PAGE THREE

SF 7-852

WOULD BELIEVE HER WHEN SHE CAME BACK.

ORNE CHARACTERIZED HEARST'S POSITION IN THE SLA AS "THE ONLY PRIVATE IN AN ARMY OF GENERALS".

CROSS EXAMINATION BY AUSA DAVID P. BANCROFT ELICITED THE FOLLOWING TESTIMONY:

MOST OF ORNE'S PSYCHIATRIC LIFE HAS BEEN SPENT IN ACADEMIC PURSUITS AND PRIVATE PRACTICE. HE HAS NOT CONCENTRATED IN THE AREA OF FORENSIC PSYCHIATRY. HE TESTIFIED AS TO STATE OF MIND ON ONLY TWO OCCASIONS PRIOR TO THIS CASE.

HE ACKNOWLEDGED THAT HE DID NOT SEEK MATERIALS FROM THE PROSECUTION BECAUSE A COLLEAGUE TOLD HIM THAT IT WAS NOT GENERALLY CONSIDERED PROPER. HE ACKNOWLEDGED THAT IT WAS COMMON PRACTICE FOR A PSYCHIATRIST TO GET AS MUCH PERTINENT DATA AS POSSIBLE. HE INDICATED THAT HE FELT HE HAD ADEQUATE DATA IN THE REPORT OF WEST AND SINGER.

BANCROFT QUESTIONED ORNE REGARDING TESTIMONY IN A PREVIOUS CASE IN USDC OF THE SOUTHERN DISTRICT OF CALIFORNIA AT LOS ANGELES WHERE HE HAD TESTIFIED THAT PSYCHIATRISTS

PAGE FOUR

SF 7-355

WERE NOT VERY GOOD AT DETERMINING THE TRUST OF SPECIFIC STATEMENTS. ORNE ACKNOWLEDGED HAVING SO TESTIFIED BUT EXPLAINED THAT ALTHOUGH PSYCHIATRISTS POSSESS NO PARTICULAR SKILLS WITH REGARD TO DISCERNING SPECIFIC TRUTHS, THEY WERE ABLE TO THROUGH THEIR EXPERTISE DETERMINE WHETHER A PERSON IS SIMULATING A PSYCHOLOGICAL CONDITION.

HE ACKNOWLEDGED THAT IT IS DIFFICULT TO MAKE A PSYCHIATRIC EVALUATION ~~UNLESS~~ OR A SCIENTIFIC EVALUATION UNLESS A PSYCHIATRIST KNOWS WHAT THE SPECIFIC FACTS ARE AND HE ADMITTED THAT THERE WERE SOME SPECIFIC FACTS HIGHLY SIGNIFICANT IN HIS DIAGNOSIS FOR WHICH HE RELIED ON PATRICIA HEARST.

ORNE TESTIFIED REGARDING AN EXPERIMENT WHICH HE CONDUCTED WHICH DEMONSTRATED PSYCHOLOGISTS' INABILITY TO DETERMINE SIMULATION OR VERIFICATION OF THE PSYCHOLOGICAL CONDITION OF HYPNOSIS. HE INDICATED THAT HE HAD BEEN SHOCKED BY HIS INABILITY TO DETERMINE WHICH INDIVIDUALS WERE GENUINELY HYPNOTIZED AND WHICH INDIVIDUALS WERE SIMULATING HYPNOSIS.

HE ADDITIONALLY ACKNOWLEDGED THAT IT WAS MORE DIFFICULT

PAGE FIVE

SP-7-355

TO DETERMINE SIMULATION ON AN ACTUAL CASE BASIS RATHER THAN UNDER LABORATORY CONDITIONS.

ORNE TESTIFIED THAT ONE OF THE CHECKS HE EMPLOYED WAS TO OFFER SELF-SERVING EXPLANATIONS FOR CERTAIN CONDUCT BUT INDICATED THAT HEARST REFUSED TO EMPLOY THE EXPLANATIONS HE SUGGESTED.

REGARDING ORNE'S DIRECT TESTIMONY THAT HE FOUND IT TO BE SIGNIFICANT THAT SHE HAD NOT REMEMBERED THE RAPE BY WILLIAM WOLFE WHEN SHE GAVE HER STATEMENTS TO WEST BECAUSE SUCH INDICATION WOULD BE FAVORABLE TO HER AND THE FACT THAT SHE HAD NOT REMEMBERED IT WHEN DISCUSSING WITH WEST HE FELT WAS AN INDICATION THAT HER PROFFESSED AMNESIA WAS GENUINE.

BANCROFT POINTED OUT THROUGH QUESTIONING CONCERNING HEARST'S TESTIMONY REGARDING THE RAPE ITSELF AND ORNE STATED THAT HE FELT HER DENIAL OF FORCIBLE RESISTANCE OF THE RAPE DEMONSTRATED FORBEARANCE ON HER PART TO UTILIZE A READILY AVAILABLE, SELF-SERVING ALLEGATION WHICH COULD NOT POSSIBLY HAVE BEEN REJECTED. BANCROFT ASKED IF THE WHOLE ACCOUNT OF THE RAPE

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COULD HAVE BEEN A PREVARICATION WHICH HEARST WAS RELUCTANT TO PRESENT INITIALLY BECAUSE OF 1. RETAINED AFFECTION FOR WOLFE, AND 2. FEAR OF LOSING CREDIBILITY.

ORNE ACKNOWLEDGED THAT SINGLE INSTANCES COULD BE EXAMINED IN THIS WAY TO THE EFFECT THAT MR. BANCROFT PROPOSED BUT HE INDICATED THAT THE SUM OF THE EXAMINATIONS HE CONDUCTED DISCLOSED THAT SHE WAS NOT SIMULATING. BANCROFT QUESTIONED ORNE CLOSELY REGARDING HIS APPARENT LACK OF INTEREST IN THE ONE-YEAR PERIOD BETWEEN THE FALL OF 1974 AND HEARST'S CAPTURE. ORNE INDICATED THAT HE DID NOT FEEL DETAILED INFORMATION REGARDING THIS ERA WAS ESPECIALLY SIGNIFICANT. ORNE TESTIFIED THAT PSYCHOLOGICAL EXPERIENCES CAUSE BEHAVIOR WHICH RESULTS SUBSEQUENTLY NOT PREVIOUSLY AND THAT HE FELT THIS TIME PERIOD WOULD NOT BE HELPFUL IN SHEDDING LIGHT ON MISS HEARST'S BEHAVIOR IN THE BANK; BUT BANCROFT QUESTIONED HIM REGARDING THE "URBAN GUERRILLA" BOOKING STATEMENT AND THE CLENCHED FIST SALUTE AFTER HER ARREST AND HER STATEMENT TO PATRICIA TOBIN THAT SHE WAS "PISSSED OFF" TO BE ARRESTED AND

HER STATEMENT TO PATRICIA TOBIN THAT SHE WANTED TO MAKE A STATEMENT FROM A "REVOLUTIONARY FEMINIST" STANDPOINT AND ORNE THEN ACKNOWLEDGED THAT THE EVENTS OF THAT ONE-YEAR PERIOD WOULD BE SIGNIFICANT IN EVALUATING THOSE EVENTS. HE STATED, HOWEVER, THAT HE HAD BEEN TOO BUSY IN ATTEMPTING TO ATTAIN INFORMATION REGARDING WHAT HE CONSIDERED TO BE A MORE PERTINENT PERIOD.

BANCRAFT ASKED ORNE IF HE HAD MADE STUDIES OF OTHER YOUNG FEMALE MEMBERS OF THE SLA TO DETERMINE IF THEY WERE INTERESTED IN PEOPLE RATHER THAN IDEAS AND HAD OTHER SIMILARITIES WITH PATRICIA HEARST IN BACKGROUND. ORNE REPLIED THAT HE DID NOT AND STATED "OF COURSE, I PROBABLY SHOULD HAVE". HE INDICATED HE HAD NOT MADE ANY STUDY OF THE BACKGROUND OF WILLIAM WOLFE.

REGARDING HEARST'S INDICATION TO TOBIN THAT SHE WANTED TO MAKE A "REVOLUTIONARY FEMINIST" STATEMENT, ORNE TESTIFIED HE FELT HEARST'S STATEMENTS WERE MORE "FEMINIST THAN REVOLUTIONARY" AND WERE PATTERNED AFTER OR INSPIRED BY ACTIONS OR STATEMENTS OF PATRICIA'S MOTHER.

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SF 7-655

BANCROFT ASKED ORNE INCREDULOUSLY IF HE REGARDED MRS. HEARST AS A FEMINIST AND ORNE STATED THAT SOMEONE HAD SHOWN HIM A NEWSPAPER SO INDICATING. HE LATER RETRACTED THAT SOMEWHAT SAYING THAT PERHAPS THE MEDIA WAS WRONG, THEY OFTEN GET THINGS WRONG.

UPON REDIRECT EXAMINATION BAILEY ELICITED FROM ORNE THE INDICATION THAT THE BEST METHOD FOR DISCERNING THE TRUTH OF SPECIFIC ALLEGATIONS IS THROUGH POLYGRAPH ANALYSIS.

BANCROFT OBJECTED AND A LENGTHY DISCUSSION ENSUED AT THE BENCH.

ORNE THEN TESTIFIED THAT THAT ANSWER WAS TRUE INSOFAR AS A PROPERLY ADMINISTERED POLYGRAPH EXAMINATION IS CONDUCTED BY A QUALIFIED EXPERT UNDER PROPER CONDITIONS.

ON CONTINUED REDIRECT ORNE TESTIFIED REGARDING HIS CONFIDENCE IN THE ACCURACY OF PSYCHIATRIC TESTS FOR SIMULATION. HE INDICATED THE EXPERIENCE HE DID WITH RETURNING PRISONERS OF WAR HE WOULD HAVE BEEN SERIOUSLY IMPAIRED IN HIS EXAMINATION OF THE SUBJECT.

PAGE NINE

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DIRECT EXAMINATION WAS BEGUN BY F. LEE BAILEY OF DOCTOR ROBERT LIFTON OF YALE WHO LISTED LENGTHY QUALIFICATIONS AS AN EXPERT AND A SPECIALIST IN THOUGHT CONTROL AND COERCIVE PERSUASION. LIFTON OUTLINED EXTENSIVE EXPERIENCE IN RETURNING PRISONERS OF WAR AND OTHER VICTIMS OF THE ABOVE PRACTICES.

HE TESTIFIED THAT IN EARLY JUNE, 1974, WEED HAD COME TO SEE HIM REGARDING HEARST AND LIFTON INDICATED TO HIM THAT IT WAS POSSIBLE THAT THERE WAS SOME TYPE OF COERCION EMPLOYED AGAINST HEARST. HE INDICATED THAT HE COUCHED HIS STATEMENTS IN TENTATIVE TERMS AND SOUGHT PRIMARILY TO CONSOLE OR COMFORT "A VERY TROUBLED YOUNG MAN."

HE INDICATED THAT HE HAD RECEIVED A CALL FROM AUSA JERRY CIMMET IN APRIL, 1975, WHEREIN CIMMET EXPLORED THE POSSIBILITY OF HIS EXAMINING HEARST WHEN SHE WAS CAPTURED.

HE TESTIFIED THAT IN EARLY DECEMBER, 1975, HE RECEIVED A CALL FROM DEFENSE ATTORNEY AL JOHNSON AND AGREED TO COME TO SAN FRANCISCO TO EXAMINE PATRICIA HEARST WITH THE FINAL DETERMINATION AS TO HIS RETENTION TO BE MADE AFTER HIS FIRST

PAGE TEN

SF 7-855

EXAMINATION OF PATRICIA. HE INDICATED THAT HE HAD EXAMINED PATRICIA HEARST FOR APPROXIMATELY FIFTEEN HOURS.

DOCTOR LIFTON ATTEMPTED TO DISTINGUISH "BRAINWASHING" AS A CATCH-ALL PHRASE NOT FAVORED BY SCIENTISTS; "THOUGHT REFORM", A LITERAL TRANSLATION OF A CHINESE TERM WHICH IS NOT USUALLY SUCCESSFUL WHEN EMPLOYED AGAINST AN ALIEN GROUP BUT MORE COMMONLY SUCCESSFUL WHEN EMPLOYED AGAINST PEERS; AND "COERCIVE PERSUASION" WHICH HAS AS A PREREQUISITE THE COMPLETE CONTROL OF THE SUBJECT'S ACCESS TO INFORMATION.

TRIAL WAS RECESSED AT APPROXIMATELY 4:00 P.M. TO BE RESUMED AT 10:00 A.M., FEBRUARY 27, 1976.

END.

GENERAL INVESTIGATIVE DIVISION
HEARNAL

This concerns the ongoing trial of Patricia Campbell Hearst in San Francisco, California, on 2/25/76.

Doctor Louis Joylon West, Professor of Psychiatry (Chairman, Department of Psychiatry, UCLA), continued cross examination by Assistant U.S. Attorney (AUSA) Bancroft. AUSA Bancroft read from West report that Hearst had "set her cap for the most attractive bachelor on the faculty and achieved that aim" taking him as her lover. West acknowledged that that was his judgment. AUSA Bancroft questioned West regarding what part his knowledge of Hearst prekidnap use of marijuana, LSD, and mescaline played in his judgment regarding Hearst. West stated these drugs had been given to Hearst by Steven Weed in connection with experiments he was conducting. West acknowledged that Hearst indicated "she felt sort of trapped" regarding the prospect of fixing a marriage date with Weed.

West denied that he had intended to suggest a successful (legal) defense for Hearst and indicated she had previously provided him with numerous facts independently establishing such a defense. West testified that there was "no way" that Hearst could have faked the psychological symptoms that he and Doctor Margaret Singer observed.

Trial to be resumed a.m., 2/26/76.

- 1 - Mr. Callahan
- 1 - Mr. Adams
- 1 - Mr. Mintz
- 1 - Mr. Moore
- 1 - Mr. Wannall

TFM:erg

TFM

TEOIC/KVN
RC

FEDERAL BUREAU OF INVESTIGATION
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SF NR 571

NR-030 SF CODE

FEB 26 1976
TELETYPE

9:33PM N TEL FEBRUARY 25, 1976, MJE

TO: DIRECTOR, FBI (7-15200)

LDS ANGELES

FROM: SAN FRANCISCO (7-655) (P)

ATTN: INTD - GID.

HEARNAP.

RE PATRICIA HEARST TRIAL FEBRUARY 25, 1976.

PSYCHIATRIC TESTIMONY CONTINUED THIS DATE INCLUDING
CONTINUED CROSS EXAMINATION AND REDIRECT EXAMINATION OF DOCTOR
LOUIS J. WEST AND THE BEGINNING OF DIRECT EXAMINATION BY
DOCTOR MARTIN THEODORE ORNE.

ON CONTINUED CROSS EXAMINATION BY AUSA BANCROFT DOCTOR
WEST TESTIFIED AS FOLLOWS:

REFERRING TO DOCTOR SINGER'S TYPEWRITTEN REPORT WEST
ACKNOWLEDGED THAT A NUMBER OF PEOPLE WHO ASSOCIATED WITH
HEARST PRIOR TO HER KIDNAPPING DESCRIBED HER AS "INDEPENDENT".
ONE CLASSMATE DESCRIBED HER AS OPINIONATED IN MATTERS SHE
KNEW LITTLE ABOUT, ESPECIALLY POLITICS.

AN FBI FD-302 REFLECTING THE INTERVIEW OF PATRICIA TOBIN,
A CLOSE PERSONAL FRIEND OF HEARST, WAS MARKED FOR IDENTIFICATION
AND WEST WAS QUESTIONED REGARDING TOBIN'S CHARACTERIZATIONS OF

184 MAR 22 1976

REC-52 7-15200-761
MAR 4 1976
8 51 PM '76

PAGE TWO

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HEARST AS SELF-MOTIVATED WITH NO NECESSITY FOR BEING SURROUNDED BY CLOSE FRIENDS. TOBIN ADDITIONALLY OBSERVED THAT HEARST BECAME INVOLVED IN CAUSES OF OTHERS AND SHE OPINED THAT HEARST HAD JOINED THE SLA VOLUNTARILY.

WEST TESTIFIED THAT HE UTTERLY DISREGARDED SOME OF THE JUDGMENTS AND CHARACTERIZATIONS OF TOBIN AS WITHOUT ANY PROFESSIONAL QUALIFICATION OR BASIS IN PERSONAL OBSERVATION.

BANCROFT READ FROM WEST'S REPORT THAT HEARST HAD "SET HER CAP FOR THE MOST ATTRACTIVE BACHELOR ON THE FACULTY AND ACHIEVED THAT AIM", TAKING HIM AS HER LOVER. WEST ACKNOWLEDGED THAT WAS HIS JUDGMENT.

OVER BAILEY'S OBJECTIONS AS TO RELEVANCY BANCROFT QUESTIONED WEST REGARDING WHAT PART HIS KNOWLEDGE OF HEARST'S KIDNAP USE OF MARIJUANA, LSD, AND Mescaline PLAYED IN HIS JUDGMENT REGARDING HEARST. WEST TESTIFIED THAT IT WAS HIS UNDERSTANDING THAT THESE DRUGS HAD BEEN GIVEN TO HEARST BY WEED IN CONNECTION WITH EXPERIMENTS HE WAS CONDUCTING. BANCROFT REFERRED WEST TO VARIOUS REPORTS WHEREIN WEED

PAGE THREE

SF 7-655

INDICATED HE HAD GIVEN SUCH DRUGS TO PATTY ONLY AFTER HER CONTINUED INSISTENCE.

BANCROFT ASKED WEST "IS IT YOUR VIEW THAT, IF SOMEONE WAS POLITICALLY EMBARRASSED ABOUT HER FAMILY SITUATION, HAD PARTICULARLY NEGATIVE FEELINGS WITH RESPECT TO HER PARENTS, HAD A CHARACTERISTIC MODE OF EXPRESSION OF DEEP SARCASM AND NEGATIVENESS, AND FELT DEPRESSED AND TRAPPED", SHE COULD COME SUDDENLY TO A "POLITICAL EXPRESSION OF HER OWN HOSTILITIES?"

BAILEY OBJECTED THAT THERE WAS NO EVIDENCE IN THE CASE WHICH BORE OUT THE HYPOTHETICAL PREMISE UPON WHICH BANCROFT BASED HIS QUESTION. BIT BY BIT BANCROFT ENUMERATED EVIDENCE CHARACTERIZING HEARST AS SET FORTH IN HIS QUESTION AND BAILEY WITHDREW HIS OBJECTION.

DOCTOR WEST THEN SYSTEMATICALLY DENIED THE VALIDITY OF SUCH EVIDENCE WHICH PRESENTED HEARST AS SET FORTH IN THE QUESTION.

BANCROFT ASKED WEST ABOUT A PORTION OF HIS REPORT WHEREIN HE INDICATES PATTY WAS "POLITICALLY EMBARRASSED" BY HER

PAGE FOUR

SF 7-355

PARENTS. WEST STATED THAT THAT PASSAGE DID NOT MEAN THAT SHE WAS EMBARRASSED BY THE POLITICS OF HER PARENTS BUT MEANT THAT SHE WANTED TO BE AN INDIVIDUAL AND NOT SIMPLY, "THE CHILD OF HER PARENTS". BANCROFT ASKED IF WEST OBSERVED A SIMILAR DESIRE FOR RECOGNITION AS AN INDIVIDUAL IN THE ^{SLA} COMMUNIQUE AND THE "TANIA INTERVIEW" PREVIOUSLY DISCUSSED IN THE CASE. WEST ADAMANTLY REFUSED TO ACKNOWLEDGE THAT SUCH A DESIRE WAS EXPRESSED IN THESE ITEMS DISMISSING THEM ALL AS REVOLUTIONARY RHETORIC SIMILAR ALMOST VERBATIM WITH STATEMENTS MADE BY BRAINWASHED PRISONERS OF WAR.

REGARDING A STATEMENT MADE BY HEARST TO DOCTOR SINGER THAT SHE WAS "REALLY DEPRESSED" PRIOR TO HER KIDNAPPING AND "COULDN'T DO ANYTHING WITHOUT THINKING ABOUT HOW I COULD KILL MYSELF WHILE DOING IT", ASKING HOW WEST LATER CAME TO THE CONCLUSION HE STATED IN HIS REPORT THAT PATRICIA HAD NOT FELT PARTICULARLY DEPRESSED AT THE TIME PRIOR TO OR AT THE TIME OF HER KIDNAPPING. WEST STATED THAT POOLED TOGETHER WITH OTHER INFORMATION HE AND DOCTOR SINGER DID NOT FEEL SHE HAD BEEN PARTICULARLY DEPRESSED.

WEST ACKNOWLEDGED THAT HEARST HAD INDICATED SHE "FELT SORT OF TRAPPED" REGARDING THE PROSPECT OF FIXING A MARRIAGE DATE WITH WEED".

BANCROFT QUESTIONED WEST REGARDING THE SIGNIFICANCE HE ATTACHED TO HEARST'S FAILURE TO SEE SHOOTING VICTIMS OR FAILURE TO RECALL HAVING SEEN SHOOTING VICTIMS WHEN SHE LEFT THE BANK. BANCROFT ASKED IF WEST WOULD ATTACH ANY SUCH SIGNIFICANCE TO THAT FAILURE TODAY KNOWING THAT THERE WAS ONLY ONE BODY AND NOT TWO ON THE GROUND AND THE BODY WAS TO THE LEFT OF THE DOOR WHEREAS MISS HEARST TURNED AND RAN TO THE RIGHT IMMEDIATELY UPON EXITING THE BANK.

WEST ACKNOWLEDGED THAT "IF THAT'S THE WAY OF IT I WOULD HAVE MADE A MISTAKE" IN CHARACTERIZING HER RECALL FAILURE AS SIGNIFICANT.

BANCROFT ATTEMPTED TO SHOW SOME POSSIBLE IMPROPER INFLUENCE OF DOCTOR WEST DUE TO THE FACT THAT HE IS A CHAIRMAN OF THE DEPARTMENT OF THE UNIVERSITY OF CALIFORNIA WHILE MRS. HEARST IS ON THE BOARD OF REGENTS THERE. WEST WAS

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ABLE TO SHOW THAT HE IS NOT FUNDED BY THE STATE. HE FURTHER POINTED OUT THAT HE HAS TENURE AS A PROFESSOR AND CAN NOT BE FIRED BY THE BOARD OF REGENTS.

BANCROFT QUESTIONED THE PROPRIETY OF THE MODE OF WEST'S QUESTIONING DURING AN OCTOBER 3, 1975, INTERVIEW REGARDING THE MEL'S SPORTING GOODS INCIDENT WHEREIN HE SAID "YOU WERE DOING WHAT YOU HAD BEEN TRAINED TO DO AND AFTER WHICH YOU SOUGHT THEIR APPROVAL, IS THAT RIGHT?". BANCROFT SUGGESTED THAT THE QUESTION WAS LEADING AND SUGGESTIVE AND DEMONSTRATED BIAS ON THE PART OF WEST AND A LACK OF PROFESSIONAL SKEPTICISM AND AN IMPROPER WILLINGNESS TO SUGGEST DEFENSES TO HEARST AND BELIEVE SUCH DEFENSES AS SHE OFFERED.

HE REFERRED TO AN OCTOBER 4, 1975, INTERVIEW JOINTLY WITH DOCTOR SINGER WHICH TOOK PLACE SHORTLY AFTER A MEETING BETWEEN HEARST AND DEFENSE ATTORNEY AL JOHNSON WHEREIN WEST AND SINGER DISCUSSED WITH HEARST THE DEFENSE STRATEGY IN THE CASE SPECIFICALLY INVOLVING PRETRIAL OF HEARST AS A KIDNAP VICTIM BRUTALIZED AND TERRIFIED BY HER CAPTORS WHO DID WHAT THEY

PAGE SEVEN

SF 7-855

EXPLICITLY DEMANDED HER TO DO AND BEYOND THAT DID OTHER THINGS TO INDICATE SYMPATHY AND IDENTIFICATION WITH THEM IN ORDER TO PLEASE THEM AND AVOID SANCTIONS. BANCROFT READ TO WEST HIS STATEMENT FROM THE INTERVIEW TRANSCRIPT THAT HE WAS IN AGREEMENT WITH THAT STRATEGY. WEST DENIED THAT HE HAD INTENDED TO SUGGEST A ~~2-3-1975~~ **SUCCESSFUL** DEFENSE FOR HEARST AND INDICATED SHE HAD PREVIOUSLY PROVIDED HIM WITH NUMEROUS FACTS INDEPENDENTLY ESTABLISHING SUCH A DEFENSE PRIOR TO ANY SUGGESTION BY HIM.

WEST ACKNOWLEDGED THAT DURING AN OCTOBER 11, 1975, EXAMINATION OF HEARST HE TOLD HER THAT SHE WAS READILY SUGGESTIBLE ESPECIALLY AS DEPENDENT ON SOMEONE BUT HE DENIED AGAIN THAT HE WAS SUGGESTING A LINE OF DEFENSE TO HER.

BANCROFT REFERRED AT LENGTH TO A LETTER SENT BY WEST TO THE HEARSTIS PRIOR TO HER CAPTURE WHEREIN WEST INDICATED TO THE HEARSTIS THAT THERE WAS A HIGH DEGREE OF LIKELIHOOD THAT A PERSON WHOSE BEHAVIOR HAS BEEN DISTORTED "AS HAS PATTY'S", "CAN RETURN TO NORMAL WITH PROPER TREATMENT".

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SF 7-855

WEST MENTIONED HISTORICAL PRECEDENT AND SPECIAL LEGAL CONSIDERATIONS AS WELL AS POWERFUL MEDICAL AND LEGAL ARGUMENTS WHICH COULD BE OFFERED IN DEFENSE OF PATTY IF SHE IS RETURNED UNHARMED.

WEST DENIED THAT SUCH STATEMENTS IN THAT LETTER CONSTITUTED EVIDENCE OF BIAS OR PREJUDICE ON HIS PART.

ON REDIRECT EXAMINATION BY BAILEY, WEST INDICATED THAT HE SAW MEDIA TREATMENT OF THE LOS ANGELES FIRE AND OUT OF SYMPATHY FOR THE HEARSTS HE WROTE THE LETTER MENTIONED ABOVE. REGARDING THE "TIME" ARTICLE WHEREIN WEST WAS QUOTED AS STATING THAT ONCE RELEASED HEARST COULD MAKE A HEALTHY ADJUSTMENT TO A NORMAL LIFE DEPENDING ON HOW CAREFULLY SHE IS HANDLED BY HER FAMILY AND THE COURTS, HE ACKNOWLEDGED THAT HE POINTED OUT HEARST'S DEPENDENCY ON THE SLA REFERRING TO HER AS A HELPLESS CAPTIVE UNDER CONSTANT STRESS BUT STATED THAT THESE STATEMENTS WERE TAKEN FROM A LENGTHY INTERVIEW WHICH DEALT PRIMARILY ON HIS EXPERIENCE WITH KOREAN PRISONERS OF WAR. WEST TESTIFIED THAT AT THE TIME HE WROTE THE LETTER AND AT THE

SF 7-655

TIME HE GAVE THE INTERVIEW TO THE CORRESPONDENT HE DID NOT EXPECT ANY SUCH INVOLVEMENT IN THE HEARST CASE.

WEST TESTIFIED AT LENGTH REGARDING A HIGH REPUTATION AND PROFESSIONAL CHARACTER OF DOCTOR MARGARET SINGER AND DESCRIBED IN DETAIL THE VALIDITY OF MEANS THEY HAD EMPLOYED TO INSURE THAT THEIR FINDINGS WOULD BE MEDICALLY AND SCIENTIFICALLY ACCURATE. AS TO WHETHER HEARST COULD HAVE FAKED THE PSYCHOLOGICAL SYMPTOMS HE AND SINGER OBSERVED WEST REPLIED "NO WAY". HE TESTIFIED THAT HE AND DOCTOR SINGER REPORTEDLY OBSERVED THAT HEARST DID NOT TAKE ADVANTAGE OF OPPORTUNITIES TO MAKE HERSELF LOOK BETTER IN THEIR EYES OR TO EXCUSE HERSELF FOR WHAT SHE HAD DONE.

ON DIRECT EXAMINATION BY BAILEY DOCTOR MARTIN THEODORE ORNE, A RESEARCH PSYCHIATRIST OF THE UNIVERSITY OF PENNSYLVANIA, OUTLINED HIS EXTENSIVE QUALIFICATIONS AND EXPERIENCE IN THE BRAINWASHING FIELD. HE TESTIFIED AT LENGTH ABOUT HIS CONCERN ABOUT THE POSSIBILITY THAT HEARST WAS FAKING OR SIMULATING A BRAINWASH CONDITION. HE INDICATED THAT HIS TESTS AND THE

PAGE TEN

SF 7-855

RESULTS OF DOCTOR SINGER'S TESTS EMPHATICALLY DENIED ANY SUCH
"SIMULATION".

THE TRIAL WAS RECESSED AT APPROXIMATELY 4:00 P.M. TO BE
RESUMED 10:00 A.M., FEBRUARY 26, 1976.

END.

EX-101-4

FEB 27 1976

Mr. Robert B. Cummings
United States Attorney
Alexandria, Virginia 22313

REL:JCK:JJFleg
157-16-4404

Re: E. Lee
Assistant Attorney General, Civil Division
By: J. Charles Kruse, Acting Chief, Torts Section

Administrative Claim of Bernadine Davis Federouch
in the amount of \$10,000.00 arising out of an
incident on March 15, 1975, in Alexandria, Virginia,
regarding the search for Patricia Hearst

Attn: AUSA James Hubbard

In accordance with your conversation with Mr. Farley
on February 26, 1976, enclosed is a copy of the letter
denying the administrative claim of Bernadine Davis
Federouch. We have enclosed for your information a copy
of the letter from her attorney demanding \$5,000.00 in
settlement.

ENCLOSURES

cc: Director
Federal Bureau of Investigation
(w/cpy. of Atty's. letter)

EXP-PROC
30 MAR 1 1976

ENCLOSURE

EX-112

REC-52 7-15200-7618

MAR 2 1976

84 MAR 22 1976

REL:JCK:JJF:egm
157-16-4404

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Robert D. Salzer, Esquire
3700 Georgia Avenue
Perpetual Building
Silver Spring, Maryland 20910

Re: Administrative Claim of Bernadine Davis
Federouch in the amount of \$10,000.00
arising out of an incident on March 15,
1975, in Alexandria, Virginia, regarding
the search for Patricia Hearst

Dear Mr. Salzer:

Please be advised that the administrative claim of
your client, Bernadine Davis Federouch, is denied.
Therefore, we are unable to accede to your demand for
settlement of said claim in the amount of \$5,000.00.

If your client is dissatisfied with our determination,
she may file suit in an appropriate United States District
Court not later than six months after the date of the mail-
ing of this notice of final denial.

Yours very truly,

REX E. LEE
Assistant Attorney General
Civil Division

J. CHARLES KRUSE
Acting Chief
Torts Section

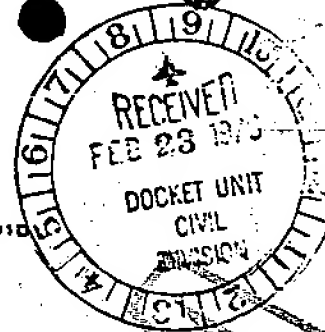
bc: Director
Federal Bureau of Investigation

Mr. Robert B. Cummings
United States Attorney
Alexandria, Virginia 22313

Attn: AUSA James Hubbard

7-15200-7618
ENCLOSURE

ROBERT D. SALZER
ATTORNEY
8700 GEORGIA AVE.
PERPETUAL BLDG.
SUITE 301
SILVER SPRING, MD. 20910
(301) 589-2442



WASHINGTON OFFICE
SUITE 280
FEDERAL BAY BLDG. WIDE
1819 H ST., N.W.
WASHINGTON, D. C. 20006
(202) 331-0043

ASSOCIATE
ROBERT R. REQUE
RESIDENCE:
2078 S. OCEAN DRIVE
HALLANDALE, FLORIDA 33009
(305) 922-7853

February 18, 1976

Chief Civil Division
Department of Justice, N.W.
Washington, D.C. 20530

RE: Bernadine Davis Federouch / P.E.

Attn: John Laughlin

Dear Mr. Laughlin:

Pursuant to our telephone conversation of February 17, 1976, we hereby submit a demand of \$5,000.00 in settlement of the above referred to client.

This demand has been made in an effort to amicably resolve this matter prior to taking further action. Ms. Federouch, feeling the pressures of obscene telephone calls, the persistent pursuit of the press, and strange occurrences at her apartment, believed it necessary to leave the area shortly after the incident. She left a good-paying job, incurred moving expenses, and was without further employment for several weeks.

It is our belief that the recommended settlement will compensate her for the inconveniences and mental anguish she suffered. Kindly respond by telephone or letter prior to February 28, 1976.

Sincerely,

Robert D. Salzer
Robert D. Salzer

Arthur H. Blitz
Arthur H. Blitz
Evernam & Goldstein, P.A.

157-16-440

ENCLOSURE

7-15200-7615

CIVIL DIVISION
Federal Ind. Court Sec.

LA 926

NR 009 LA PLAIN

2:50 PM NITEL 2-27-76 SMA

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

TO DIRECTOR (7-15200)

FEB 20 1976

FROM SAN FRANCISCO (7-855)

TELETYPE

FROM LOS ANGELES (7-1627)

ATTENTION: GID, INTD & OFFICE OF LEGAL COUNSEL

REARVAP. OO: SAN FRANCISCO.

RE LOS ANGELES TRIAL OF WILLIAM AND EMILY HARRIS.

RE LOS ANGELES NITEL FEBRUARY 19, 1976.

IN CONNECTION WITH PRE-TRIAL MOTION RELATING TO PREJUDICIAL
PRE-TRIAL PUBLICITY, THE TESTIMONY OF SAC CHARLES BATES, SAN
FRANCISCO; SA WILLIAM OTTO HEATON, LOS ANGELES; AND ROBERT LEWIS
STEVENSON, III OF THE DEPARTMENT WILL BE HEARD ON FEBRUARY 25,
1976. THIS TESTIMONY WAS PREVIOUSLY SCHEDULED TO BE HEARD ON
FEBRUARY 23, 1976.

BUREAU AND SAN FRANCISCO WILL BE KEPT ADVISED.

END

REC-52

7-15200-7619

EX-1

EX-112

21 MAR 8 1976

84 MAR 17 1976

Assoc. Dir.	
Dep. A.D. Adm.	
Dep. A.D. Inv.	
Asst. Dir.:	
Adm.	
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Gen. Inv.	
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NY 869

FEDERAL BUREAU OF INVESTIGATION
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Spec. Inv. _____
Training _____
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Director Sec'y _____

NR040, NY CODE

9:01PM URGENT FEBRUARY 20, 1976 GBM

FFR 20 1976

TELETYPE

TO: DIRECTOR, FBI
AND SACS, NEW HAVEN
PHILADELPHIA
SAN FRANCISCO

FROM: ADIC, NEW YORK

HEARNAP 00: SF; PAUL K. HOCH, SM-SLA, 00: NY.

RENYTEL, FEBRUARY 20, 1976.

SIGNED CONSENT TO SEARCH OBTAINED FROM IRA AND BEVERLY
NERENBERG, 11 WEST 17TH STREET, NEW YORK CITY (NYC), AND
THESE PERSONS INTERVIEWED IN DEPTH. BOTH NERENBERGS PROVIDED
THE FOLLOWING:

AROUND JULY 1, 1974, THEY PLACED AN AD IN THE VILLAGE
VOICE NEWSPAPER, NYC, TO RENT CABIN DESCRIBED AS SECLUDED.
CABIN RENTED BY FEMALE DESCRIBED AS WHITE, 5'7", THIN, BLONDE
HAIR, SHOULDER LENGTH, BELIEVED UTILIZING NAME ANN BURKHARDT,
WHO STATED SHE HAD JUST RETURNED FROM ENGLAND. THIS FEMALE
PAID \$600 CASH FOR SIX WEEKS RENTAL THROUGH LABOR DAY, 1974.
PLUS \$250 SECURITY DEPOSIT. NERENBERGS NEVER SAW FEMALE

REC-2 7-15200-7620

21 MAR 5 1976

84 MAR 11 1976

AGAIN OR ANY OTHER PERSONS AT CABIN. VIEWED NUMEROUS PHOTOGRAPHS OF HEARNAP SUBJECT INCLUDING MICKEY SCOTT WITH NEGATIVE RESULTS. NERENBERGS WENT TO CABIN AFTER LABOR DAY TO FIND SAME VACATED AND IN DISARRAY. NO ITEMS LEFT BEHIND BY OCCUPANTS. INVESTIGATION OF NERENBERGS' FINANCIAL RECORDS OF CABIN CONTINUING.

NERENBERGS' ADVISED THEIR CABIN HAS A TELEPHONE, NUMBER 914-482-4550, AND DURING JULY-AUGUST, 1974, SEVERAL LONG DISTANCE PHONE CALLS WERE MADE BY OCCUPANTS. ALL NUMBERS EXCEPT ONE, 212-868-3330, WERE LISTED TO VARIOUS AIRLINES IN NYC (AMERICAN, UNITED, ETC.) TELEPHONE NUMBER 868-3330 IS AN ANSWERING SERVICE AT 316 FIFTH AVENUE, NYC. INVESTIGATION REGARDING ABOVE CONTINUING.

A COMPLETE AND THOROUGH SEARCH WAS CONDUCTED AT JEFFERSONVILLE FARM INCIDENT TO OWNER SIGNED CONSENT. THIS SEARCH FAILED TO PRODUCE PHYSICAL EVIDENCE RELATING TO HEARNAP FUGITIVE OCCUPANCY OR ANY ITEMS SUCH AS CARTRIDGE SHELLCASINGS. SEARCH DID HOWEVER, PRODUCE GROUP OF NY TIMES AND DAILY NEWS NEWSPAPERS, DATED JULY-AUGUST, 1974,

PAGE THREE

NY

WHICH BY TIMETABLE COVERS PERIOD OF FUGITIVE OCCUPANCY.

NEW YORK OFFICE (NYYO) TO FORWARD SAME TO FEDERAL BUREAU
OF INVESTIGATION (FBI) LABORATORY FOR FINGERPRINT ANALYSIS.

INVESTIGATION CONTINUING.

END.

COPIED

FILE

PC-Index

FBI

Date: 2/27/76

Transmit the following in _____

(Type in plaintext or code)

Via AIRTEL

(Precedence)

TO: DIRECTOR, FBI

FROM: SAC, NEW HAVEN (7-402) (RUC)

SUBJECT: HEARNAP
(OO: SF)

PAUL K. HOCH
SM - SLA

Re New Haven teletype to the Bureau, 2/20/76;
New York teletype to the Bureau, 2/20/76;
New York teletype to New Haven, 2/23/76.

Enclosed for New York, Philadelphia, and San Francisco are 2 copies each of an FD-302 reflecting interview with ELIOT NERENBERG.

On 2/24/76, Attorney ELIOT NERENBERG, 772 Farmington Ave., West Hartford, Conn., was informed of the identities of Special Agents conducting search of property at Jeffersonville, New York.

2 Bureau
2 New York (Enc. 2)
2 Philadelphia (Enc. 2)
2 San Francisco (Enc. 2)
2 New Haven
HJW:eam
(10)

Approved: _____

Special Agent in Charge

Sent _____

M Per _____

84 MAR 11 1976

FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535DATE *Re* FEBRUARY 11, 1976

Re: HEARNAP

TO:

SAC SAN FRANCISCO

MAILED 8

FEB 11 1976

FBI

Invoice of Contents

EVIDENCE

EVIDENCE

EVIDENCE

☐ Document☐ P. & C.☒ Radio Engineering☐ LFPS

K127, K128

717576

2 EACH CASSETTE TAPES . RECORDING CONVERSATIONS BETWEEN
PATRICIA HEARST AND OTHERS AT SAN MATEO COUNTY JAIL

SPECIAL DELIVER

REGISTERED-AIR MAIL

Special Instructions:

Mail Room: Show shipment date and registry number.

Shipping Room: Show shipment date; bill of lading number;

initial invoice; return to Section checked in block; after

initialing in block, invoice to be placed in administrative file.

f803

7-15200-

1756 APR 13 1976 REGISTERED AIRMAIL SPECIAL DELIVERY RETURN RECEIPT REQUESTED

PLAINTEXT

TELETYPE

URGENT

3-4-76

TO: SAC, SAN FRANCISCO (7-855)

FROM: DIRECTOR, FBI (7-15200)

HEARNAP

REFERENCE TCALL ON MARCH 3, 1976.

REMAINING UNIDENTIFIED LATENT FINGERPRINTS FROM
RESIDENCES AT 625 MORSE STREET, 288 PRECITA AVENUE, AND 401
IRVINGTON STREET, NOT IDENTICAL FINGERPRINTS OF [REDACTED]

[REDACTED] NO PALM PRINTS AVAILABLE IDENTIFICATION
DIVISION FILES FOR [REDACTED]
CONFIRMING.

RSH:djm
(4)

EX-106-2

7-15200 7622

20 MAR 9 1976

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

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- Assoc. Dir. _____
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- Dep. AD Inv. _____
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- Admin. _____
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- Laboratory _____
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- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Telephone Rm. _____

8-4 MAR 11 1976

ROOM ☐

TELETYPE UNIT ☒

Los Angeles Trial of William and Emily Harris

Attached from San Francisco Office (SFO) advises Assistant District Attorney Dino Fulgoni (Los Angeles) telephonically contacted ASAC Lawrence G. Lawler (SFO) and stated he was extremely pleased with testimony of all Agents during pretrial motion to suppress the evidence. Fulgoni has handled press inquiries by stating that he felt Special Agents acted well within legal limits in entering 288 Precita Street, San Francisco (residence of William and Emily Harris).

[REDACTED] Fulgoni reiterated that testimony by Agents absolutely justified the entry made. He advised that Judge Brandler (who came out of retirement to judge the Harris case) had prior to his retirement made several judgments concerning the entries of residences in narcotics cases, a number of which were overturned.

- [REDACTED]
- 1 - Mr. Callahan
 - 1 - Mr. Adams
 - 1 - Mr. Mintz
 - 1 - Mr. Moore
 - 1 - Mr. Leavitt

TFM:erg

TFM

JE01C/KUN

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Jan

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FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

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Legal Coun.	
Telephone Rm.	
Director Sec'y	

SF NR 741

MAR 02 1976

NR 031 SF CODE

TELETYPE

7:44PM NITEL URGENT MARCH 2, 1976, MJE

TO: DIRECTOR, FBI (7-15200)
ADIC, LOS ANGELES (7-1627)

FROM: SAN FRANCISCO (7-855) (P)

ATTN: GID 44-INTD; OFFICE OF LEGAL COUNSEL.

HEARNAP: OO: SAN FRANCISCO.

RE LOS ANGELES TELETYPE TO DIRECTOR, MARCH 1, 1976,
CAPTIONED AS ABOVE AND BUREAU TELEPHONE CALL (ADIC GALLAGHER)
TO SAN FRANCISCO (SAC BATES), MARCH 2, 1976.

RE: LOS ANGELES TRIAL OF WILLIAM AND EMILY HARRIS.

ON MARCH 2, 1976, ASSISTANT DISTRICT ATTORNEY DINO
FULGONI TELEPHONICALLY CONTACTED ASAC LAWRENCE G. LAWLER AND
ADVISED AS FOLLOWS:

HE WAS EXTREMELY PLEASED WITH THE TESTIMONY OF ALL AGENTS
DURING THE PRE-TRIAL MOTION TO SUPPRESS THE EVIDENCE. HE
HAS RECEIVED NUMEROUS PRESS INQUIRIES AS TO WHETHER OR NOT
IT WAS HIS OPINION THAT THE FBI ACTED IMPROPERLY BY ENTERING
288 PRECITA STREET, SAN FRANCISCO (RESIDENCE OF WILLIAM AND
EMILY HARRIS). HE HAS RESPONDED TO THESE INQUIRIES INDICATING
THAT HE FELT THAT THE AGENTS ACTED WELL WITHIN LEGAL LIMITS.

EX-101 REC 8 7-15200-7623

MAR 10 1976

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DURING THE TRIAL, FULGONI ADVISED ASAC LAWLER THAT THE TESTIMONY OFFERED BY THE AGENTS ABSOLUTELY JUSTIFIED THE ENTRY MADE. FULGONI DID INDICATE, HOWEVER, THAT JUDGE BRANDLER WAS BROUGHT OUT OF RETIREMENT TO JUDGE THE HARRIS CASE AND THAT JUST PRIOR TO RETIREMENT HAD MADE SEVERAL JUDGMENTS CONCERNING THE ENTRIES OF RESIDENCES IN NARCOTICS CASES, A NUMBER OF WHICH WERE OVERTURNED SUBSEQUENT TO BRANDLER'S RETIREMENT. BASED ON THIS FACT, FULGONI FELT THAT BRANDLER WOULD BE EXTREMELY CAUTIOUS IN ADMITTING THE EVIDENCE BUT EVEN WITH THIS IN MIND, FULGONI FELT NO PROBLEM EXISTED.

XXXXXX
XXXXXX
XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET1

Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- ☒ Deleted under exemption(s) b7C with no segregable material available for release to you.
- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
- ☐ Information pertained only to a third party. Your name is listed in the title only.
- ☐ Document(s) originating with the following government agency(ies) _____, was/were forwarded to them for direct response to you.

Page(s) referred for consultation to the following government agency(ies); _____ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

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☐ For your information: _____

- ☒ The following number is to be used for reference regarding these pages:

7-15200-7623

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This concerns the trial of Patricia Campbell Hearst on 3/1/76, in San Francisco, California.

Waylan Hall, brother of Ulysses Hall, testified that his brother Ulysses indicated that DeFreeze had three choices in dealing with Hearst: (1) He could kill her; (2) he could release her; or (3) he could make her a fugitive by coercing her participation in a bank robbery to make her rely upon the SLA for refuge. Upon cross examination by U. S. Attorney Browning, Hall acknowledged that his brother had been a narcotics user and that he had not been present when Ulysses talked to DeFreeze.

Defense witness Doctor Margaret Singer (University of California) attempted to prove that Patricia Hearst had not authored the language of the SLA communiques on pertinent portions in the SLA manuscripts. Judge Carter ruled that despite Singer's eminent qualifications and the fact that expert testimony in this field has never been accepted before, he would exercise his discretion to deny the admissibility of such testimony.

Defense attorney Al Johnson examined Vernon L. Kipping, Special Employee, FBI, San Francisco, regarding photographs furnished to the defense showing Camilla Hall pointing a weapon at Patricia Hearst during robbery. Kipping refuted these allegations in open court. At conclusion of Kipping's testimony, Johnson moved for dismissal based upon alleged failure to disclose exculpatory evidence (Brady versus Maryland). Judge Carter denied motion without prejudice allowing defense to urge motion at some later time.

- 1 - Mr. Callahan
- 1 - Mr. Adams
- 1 - Mr. Mintz
- 1 - Mr. Moore
- 1 - Mr. Leavitt

TFM:erg

TFM

JED/KUD

BAC

per

for

MAR 02 1976

TELETYPE

SF NR 704

NR 056 SF CODE

10:52PM NITEL MARCH 1, 1976, MJE

TO: DIRECTOR, FBI (7-15200)

LOS ANGELES

FROM: SAN FRANCISCO (7-655) (P)

ATTN: GID - INTD.

HEARNAP.

RE TRIAL OF PATRICIA HEARST MARCH 1, 1976.

TRIAL RESUMED MARCH 1, 1976, AT 10:00 A.M. WITH RICHARD ELLIS THE FIRST ALTERNATE JUROR ABSENT, EXCUSED BY JUDGE CARTER FOR MEDICAL REASONS, HAVING A SEVERE CASE OF THE FLU.

WAYLAN HALL, BROTHER OF ULYSSES HALL, A COACH AT A STOCKTON PUBLIC SCHOOL, TESTIFIED THAT HIS BROTHER, ULYSSES HALL, HAD INDICATED TO HIM DURING A FAMILY REUNION THAT DE FREEZE HAD HAD THREE CHOICES IN HIS DEALING WITH HEARST, SPECIFICALLY, HE COULD KILL HER, HE COULD RELEASE HER AND TAKE THE CHANCE THAT SHE MIGHT PROVIDE INFORMATION TO THE AUTHORITIES WHICH WOULD BE DETRIMENTAL TO THE SLA, AND HE COULD MAKE HER A FUGITIVE BY COERCING HER PARTICIPATION IN A BANK ROBBERY TO MAKE HER RELY UPON THE SLA FOR REFUGE AND PROTECTION.

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MAR 10 1976

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HALL TESTIFIED THAT HE WAS PRESENT WITH HIS BROTHER, ULYSSES, AT A CONVERSATION WITH IRA WALSH OF THE HEARST FOUNDATION. DURING THE CONVERSATION ULYSSES NEVER MENTIONED GETTING ANYTHING FOR HIMSELF AS A RESULT OF HIS TESTIFYING IN THE HEARST CASE.

UPON CROSS EXAMINATION BY BROWNING, HALL ACKNOWLEDGED THAT HIS BROTHER HAD BEEN A NARCOTICS USER. HE STATED THAT HE HAD NOT BEEN PRESENT WHEN ULYSSES HAD TALKED TO DE FREEZE ON THE TELEPHONE. HE DID NOT KNOW IF ULYSSES HAD BEEN IN STOCKTON WHEN HE CLAIMS TO HAVE TALKED TO DE FREEZE, AND HE DIDN'T RECALL WHETHER HALL SAID AT THE TIME OF THE REUNION THAT HE HAD TALKED TO DE FREEZE ON THE PHONE.

THE DEFENSE OFFERED TESTIMONY OF DOCTOR MARGARET SINGER, UNIVERSITY OF CALIFORNIA AT BERKELEY, REGARDING THE SPEECH PATTERNS AND WRITING PATTERNS OF PATRICIA HEARST IN AN ATTEMPT TO PROVE THAT SHE HAD NOT AUTHORED THE LANGUAGE OF THE SLA COMMUNIQUE ON PERTINENT PORTIONS OF THE SLA MANUSCRIPTS. AFTER LENGTHY TESTIMONY BY SINGER CONCERNING

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SF. 7-855

HER METHODOLOGY AND CERTAIN OF THE CONCLUSIONS THAT SHE REACHED, TO WIT, THAT HEARST'S STATEMENTS ON SLA COMMUNIQUE 1, 2, AND 3 WERE SPONTANEOUS, HEARST'S STATEMENTS ON COMMUNIQUE 4, 5, AND 6 WERE AUTHORED BY ANGELA ATWOOD, AND HEARST'S STATEMENTS ON TAPE #7 WERE AUTHORED BY EMILY HARRIS, SINGER ACKNOWLEDGED ON CROSS EXAMINATION BY BROWNING THAT SHE HAD NEVER TESTIFIED AS AN EXPERT ON LANGUAGE STYLE ANALYSIS AND KNEW OF NO ONE WHO HAD SO TESTIFIED.

JUDGE CARTER CHARACTERIZED HIS DECISION AS ONE OF THE MOST DIFFICULT EVIDENTIARY QUESTIONS AND RULED DESPITE SINGER'S EMINENT QUALIFICATIONS THAT BECAUSE OF THE CUMULATIVE NATURE OF SUCH TESTIMONY AND THE FACT THAT EXPERT TESTIMONY IN THIS FIELD HAS NEVER BEEN ACCEPTED BEFORE IN COURTS OF LAW DESPITE PRIOR INQUIRY, AND THE FACT THAT SUCH TESTIMONY WOULD ADD MANY HOURS TO THE TRIAL WITHOUT ADDING SIGNIFICANTLY TO PROOF, HE WOULD EXERCISE HIS DISCRETION TO DENY THE ADMISSIBILITY OF SUCH TESTIMONY.

DEFENSE ATTORNEY AL JOHNSON THEN EXAMINED VERNON L. KIPPING, SPECIAL EMPLOYEE, FBI, SAN FRANCISCO, REGARDING

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PHOTOGRAPHS FURNISHED TO THE DEFENSE ATTEMPTING TO ESTABLISH THAT THE IMAGE OF CAMILLA HALL POINTING A WEAPON AT PATRICIA HEARST DURING THE ROBBERY HAD BEEN DELETED FROM 5" BY 7" PHOTOGRAPHS FURNISHED THE DEFENSE EARLY IN THE CASE BUT WERE CONTAINED ON 8" BY 10" PHOTOGRAPHS RECENTLY FURNISHED TO THE DEFENSE.

UPON CROSS EXAMINATION BROWNING ELLICITED FROM KIPPING TESTIMONY THAT SUCH CROPPINGS RESULTED FROM THE FACT THAT BANK SURVEILLANCE FILM OCCASIONALLY JUMPED THE TRACK DURING ITS EXPOSURE AT THE BANK ROBBERY CAUSING PERTINENT IMAGES TO BE FOUND IN THE SPROCKET AREA OF THE FILM WHICH AREA IS NOT ROUTINELY PRINTED BY MECHANICAL PRINTERS AS WERE EMPLOYED IN PREPARATION OF THE 5" BY 7" PHOTOGRAPHS. KIPPING POINTED OUT THAT THE 8" BY 10" PHOTOGRAPHS FURNISHED TO THE DEFENSE WHICH SHOWED CAMILLA HALL MORE COMPLETELY WERE CUSTOM PRINTED BY EMPLOYEES OF THE SAN FRANCISCO DIVISION OF THE FBI. KIPPING ALSO TESTIFIED THAT THE WEAPON HELD BY CAMILLA HALL IN THESE PHOTOGRAPHS WAS POINTED MORE IN THE

PAGE FIVE

SK 7-833

DIRECTION OF THE TELLERS COUNTER OR DONALD DE FREEZE THAN
IN THE DIRECTION OF PATRICIA HEARST.

AT THE CLOSE OF KIPPING'S TESTIMONY JOHNSON MOVED FOR
DISMISSAL ON CHARGES AGAINST HEARST BASED UPON ALLEGED
BRADY VS. MARYLAND FAILURE TO DISCLOSE EXCULPATORY EVIDENCE.
CARTER DENIED THE MOTION WITHOUT PREJUDICE ALLOWING THE
DEFENSE TO SEEK OR URGE THE MOTION AT SOME LATER TIME.

END.

GENERAL INVESTIGATIVE DIVISION
HEARNAP

This concerns the trial of Patricia Campbell Hearst in San Francisco, California, on 3/2/76.

Attached advises that the Government's rebuttal case began with U. S. Attorney Browning examining witness Ziguard Berzins who testified that on morning of the robbery he entered the bank and saw a female (eventually identified as Patricia Hearst) holding a sawed-off carbine pick up two straight .30 caliber clips and certain live rounds from ground directly in front of bank.

The second Government rebuttal witness was Stephanie Marsh, San Mateo County Deputy, who booked Hearst on 9/18/75, and to whom Hearst stated she was an "urban guerrilla." Mrs. Sherry Wood, Deputy, San Mateo County Jail, testified that she informed Patricia Hearst that her medical examination determined that there was a lethal amount of potassium in her bloodstream. Wood indicated that Hearst generally unconcerned. This testimony offered in order to discredit previous testimony that Hearst was concerned with her physical well being as a symbol of the "Survivor Syndrome."

Mr. Sutter, of Los Angeles, California, testified that on 5/17/74, that he ~~was~~ picked up ~~by~~ two white female hitchhikers (Hearst and Emily Harris) both of whom had hand guns and was placed in the back of his vehicle. An individual (subsequently determined to be Bill Harris) was picked up by the two white females and driven around for several hours.

F. Lee Bailey, defense attorney, moved to suppress certain items in evidence at 288 Precita having learned that this address had been surveilled for some thirty hours prior to arrest of Harrises there.

Judge Carter granted Bailey a hearing as to the suppression of these items which hearing is scheduled for 9:30 a.m., 3/3/76.

General Investigative Division is following this development closely.

1 - Mr. Callahan
1 - Mr. Adams
1 - Mr. Mintz

1 - Mr. Moore
1 - Mr. Leavitt

TFM/EA:erg/brb

FEDERAL BUREAU OF INVESTIGATION
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NR 001 SF CODE

1:20 AM NITE 3/3/76 RLG

MAR 3 1976

TELETYPE

TO: DIRECTOR, FBI

ADIC, LOS ANGELES

FROM: SAC, SAN FRANCISCO (7-855)

ATTN: INTD AND GID

HEARNAP

RE: TRIAL OF PATRICIA HEARST, MARCH 2, 1976.

THE GOVERNMENT' REBUTIAL CASE WAS BEGUN WITH USA
BROWNING EXAMINING ZIGUARD BERZINS. BERZINS TESTIFIED AS
FOLLOWS:

ON THE MORNING OF THE ROBBERY HE ENTERED THE BANK,
LET THE DOOR CLOSE BEHIND HIM, REALIZED THAT IT HAD SLAMMED
INTO SOMEONE, TURNED AND SAW A FEMALE HOLDING A SAWED OFF
CARBINE SIMILAR TO GOVERNMENT EXHIBIT 19, PICKING UP TWO
STRAIGHT .30 CALIBER CLIPS AND CERTAIN LIVE ROUNDS FROM THE
GROUND DIRECTLY IN FRONT OF THE BANK. HE LATER, BY PROCESS
OF ELIMINATION, AND BY IDENTIFICATION OF WEAPONRY, HAIR,
AND PHYSICAL BUILD, IDENTIFIED THE PERSON PICKING
UP THE BULLETS AS A PARTICULAR INDIVIDUAL WHO APPEARED IN
THE SURVEILLANCE CAMERA MOVIES. THIS PERSON HAS BEEN
PREVIOUSLY IDENTIFIED BY THE DEFENSE AS PATRICIA HEARST.

EX-101 REC 8 7-15200-7625

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NEXT, AN INDIVIDUAL HE IDENTIFIED AS NANCY LING PERRY RAN AROUND THE CROUCHED FIGURE AND ENTERED THE BANK, ANNOUNCING, "SLA, SLA. THIS IS A ROBBERY. EVERYBODY ON THE FLOOR", OR WORDS TO THAT EFFECT. AFTER SEVERAL SECONDS OF EYE CONTACT WITH THIS INDIVIDUAL, HE TRIED TO GET ON THE FLOOR UNDER A DESK BUT WAS DIRECTED TO THE CENTER OF THE BANK BY AN INDIVIDUAL HE RECOGNIZES IN THE FILM AS ^{SOLTYSIK.} PATRICIA ~~SOLTYSIK.~~

HE LATER HEARD A SOFT, HIGH FEMALE VOICE WHICH HAD THE SAME INFLECTION AS THAT OF PATRICIA HEARST'S ON THE SLA COMMUNIQUE STATE, "THIS IS TANIA HEARST". HE INDICATED THAT HE HAD SEEN SAN FRANCISCO EXAMINER AND CHRONICLES FOR APRIL 16, 1974 AND IDENTIFIED THE PHOTOGRAPH OF PATRICIA HEARST APPEARING THEREIN AS THE INDIVIDUAL HE SAW PICKING UP THE BULLETS.

ON CROSS-EXAMINATION, BAILEY ELICITED FROM BERZINS TESTIMONY THAT HE EXPERIENCED A DEGREE OF TERROR WHEN HE SAW THE WEAPON, WHICH INCREASED WHEN HE LEARNED THAT THE SLA WAS INVOLVED IN THE BANK ROBBERY.

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BERZINS TESTIFIED THAT AS A COMBAT OFFICIAL HE HAD TRAINED HIS SOLDIERS TO REACT IMMEDIATELY TO ENEMY FIRE. BAILEY WAS APPARENTLY TRYING TO DRAW PARALLELS TO HEARST'S REACTION UPON SEEING WILLIAM AND EMILY HARRIS BEING CAPTURED DURING THE MEL'S SPORTING GOODS INCIDENT BY CHARACTERIZING MISS HEARST'S ACTIONS AS "REFLEXIVE" AND SIMILAR TO THE ACTIONS OF TRAINED COMBAT SOLDIERS.

BAILEY EXTENSIVELY CROSS-EXAMINED BERZINS AS TO HIS IDENTIFICATION OF THE CROUCHING FIGURE AS PATRICIA HEARST. HE CRITICIZED BERZINS' DESCRIPTION OF THE FIGURE AS FEMALE, POINTING OUT THAT HE HAD TESTIFIED THAT HE HAD ONLY SEEN THE TOP OF THE INDIVIDUAL'S HEAD. BERZINS TESTIFIED THAT HIS IDENTIFICATION OF THE CROUCHED FIGURE AS A FEMALE WAS BASED UPON HAIR LENGTH, SMALLNESS OF FRAME AND THE RELATIVELY SMALL SIZE OF THE INDIVIDUAL'S HANDS AND WRISTS.

REGARDING BERZINS' IDENTIFICATION OF THE VOICE IN THE BANK STATING, "THIS IS TANIA HEARST" AS SIMILAR TO THE VOICE ON THE SLA TAPE, BAILEY ELICITED FROM BERZINS AN ACKNOWLEDGEMENT THAT HE COULD NOT IDENTIFY THE TONAL QUALITY

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OF THE VOICE DUE TO INFERIOR EQUIPMENT USED BY THE FBI TO PLAY THE TAPES WHEN HE HEARD THEM APRIL 15, 1974. (INCLUDING A SMALL SONY CASSETTE PLAYER AND AN AUTOMOBILE SPEAKER). HE REITERATED, HOWEVER, THAT THE VOICE HE HEARD HAD THE SAME INFLECTIONS.

BAILEY CROSS-EXAMINED BERZINS REGARDING THE INCONSISTENCIES IN STATEMENTS HE HAD GIVEN TO FBI AGENTS, INCLUDING, SPECIFICALLY, HIS INITIAL IDENTIFICATION OF A SNAPSHOT OF PATRICIA ^{SOLTYSIK} ~~SOLTYSIK~~ AS THE PERSON HE OBSERVED CROUCHING PICKING UP CLIPS IN FRONT OF THE BANK. BERZINS EXPLAINED THAT THIS MIS-IDENTIFICATION WAS DUE TO A DIS-SIMILARITY IN THE SNAPSHOT SHOWN TO HIM THE DAY OF THE ROBBERY AND THE BANK SURVEILLANCE PHOTOGRAPHS SHOWN TO HIM THE NEXT DAY, AT WHICH TIME HE IDENTIFIED THE SURVEILLANCE CAMERA PHOTOGRAPH OF PATRICIA HEARST AS THE INDIVIDUAL PICKING UP THE CLIPS.

BAILEY TOOK FROM EVIDENCE THE NEWSPAPER PREVIOUSLY INTRODUCED BY BROWNING AS CONTAINING PHOTOGRAPHS BERZINS VIEWED THE DAY AFTER THE ROBBERY AND AFTER ASKING HIM IF

PAGE FIVE

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HE HAD READ ALL OF THE ARTICLE, DIRECTED HIS ATTENTION TO STATEMENTS IN THE ARTICLE ASCRIBED TO SOURCES CLOSE TO THE FBI AND USA'S OFFICE TO THE EFFECT THAT THERE WAS EVIDENCE WHICH INDICATED THAT PATRICIA HEARST HAD BEEN ACTING UNDER DURESS DURING THE BANK ROBBERY.

THE NEXT GOVERNMENT REBUTTAL WITNESS WAS STEPHANIE MARSH, A SAN MATEO COUNTY DEPUTY WHO BOOKED HEARST ON SEPTEMBER 18, 1975. SHE TESTIFIED THAT SHE HAD ASKED HEARST WHAT HER OCCUPATION WAS, HEARST HAD REPLIED THAT SHE DIDN'T HAVE AN OCCUPATION, SHE ASKED HEARST IF SHE WAS A STUDENT OR HAD HAD A JOB, TO WHICH HEARST HAD REPLIED THAT SHE COULD PUT DOWN "URBAN GUERRILLA".

SHE TESTIFIED THAT AFTER OBTAINING TANIA AS AN ALIAS OF MISS HEARST'S, SHE ASKED IF HEARST HAD USED ANY OTHER NAMES AND HEARST REPLIED, "NONE THAT I WOULD TELL YOU ABOUT". ON CROSS-EXAMINATION BY DEFENSE ATTORNEY ALBERT JOHNSON, MARSH TESTIFIED THAT EMILY HARRIS HAD COME UP IN THE ELEVATOR WITH HEARST AND HAD BEEN IN THE SAME GENERAL AREA WHILE PATRICIA HEARST WAS BEING BOOKED. SHE WAS UNABLE TO

RECALL WHETHER HARRIS WAS WITHIN EARSHOT OF HEARST DURING THE "URBAN GUERRILLA" AND ALIAS QUESTIONS IN THE BOOKING PROCESS.

JOHNSON ATTEMPTED BY A SERIES OF HYPOTHETICAL QUESTIONS TO SUGGEST THAT MARSH HAD PRESSED HEARST FOR SOME ANSWER AS TO HER OCCUPATION AND HAD HERSELF SUGGESTED "URBAN GUERRILLA". MARSH CALMLY AND EFFECTIVELY DENIED THE OCCURANCE OF MR. JOHNSON'S HYPOTHETICALLY-STATED INCIDENT.

MRS. SHERRY WOOD, A DEPUTY, SAN MATEO COUNTY JAIL, TESTIFIED THAT SHE HAD INFORMED PATRICIA HEARST THAT A DOCTOR EXAMINING THE RESULTS OF A MEDICAL EXAMINATION CONDUCTED ON HER WHILE IN JAIL HAD DETERMINED THAT THERE WAS A LETHAL AMOUNT OF POTASSIUM IN HER BLOODSTREAM, AND ACCORDING TO MEDICAL INDICATIONS SHE SHOULD BE DEAD.

MRS. WOOD TESTIFIED THAT SHE OBSERVED HEARST TO BE IN AN APPARENTLY HEALTHY PHYSICAL STATE WHEN SHE REPORTED THIS INFORMATION TO HER AND HAD SMILED WHEN TELLING MISS HEARST IN ORDER TO DISCOUNT THE INFORMATION SOMEWHAT SO AS NOT TO ALARM MISS HEARST. WOOD INDICATED THAT HEARST HAD SEEMED

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GENERALLY UNCONCERNED ABOUT THE REPORTED IRREGULARITY. THIS TESTIMONY WAS OFFERED IN ORDER TO DISCOUNT TESTIMONY BY DEFENSE DOCTORS THAT PATRICIA HEARST WAS OBVIOUSLY CONCERNED WITH HER PHYSICAL WELLBEING AS A SYMBOL OF THE "SURVIVOR SYNDROME".

ON CROSS-EXAMINATION, JOHNSON WAS ABLE TO ELICIT FROM WOOD TESTIMONY THAT ORDERS HAD BEEN GIVEN THAT NO MEDICAL TREATMENT OR EXAMINATION WAS TO BE GIVEN TO MISS HEARST EXCEPT BY HER OWN DOCTORS. JOHNSON ASKED IF THIS WAS OUT OF A CONCERN FOR MISS HEARST'S SAFETY, AND WOOD REPLIED THAT SHE HAD BEEN SO INSTRUCTED.

MR. SUTTER, OF LOS ANGELES, CALIFORNIA, TESTIFIED THAT ON MAY 17, 1974, HE HAD PICKED UP TWO WHITE FEMALE HITCHHIKERS, BOTH OF WHOM HAD HANDGUNS AND BOTH OF WHOM POINTED THE HANDGUNS AT HIM. HE WAS PLACED IN THE BACK SEAT OF HIS CAR AND COVERED WITH A BLANKET AFTER PICKING UP AN INDIVIDUAL HE SUBSEQUENTLY LEARNED WAS BILL HARRIS AT A VAN A SHORT DISTANCE AWAY.

THE RADIO WAS ON DURING THE SIX AND ONE HALF HOURS HE

WAS DRIVEN AROUND AND NEWS BULLETINS ANNOUNCED THAT THE POLICE HAD SURROUNDED A HOUSE AT 84TH STREET, A SUSPECTED SLA PAD. UPON HEARING THIS, BILL HARRIS SAID, "THAT'S US."

ON CROSS-EXAMINATION, SUTTER INDICATED THAT BILL HARRIS SEEMED TO BE MAKING THE DECISIONS AS TO ROUTES, ETC. ALSO IN CROSS-EXAMINATION, SUTTER TESTIFIED THAT HE HAD BEEN IN THE CAR TWO OR THREE HOURS BEFORE HEARING ABOUT THE ALLEGED POLICE ACTIONS AGAINST SLA LOCATIONS. HE INDICATED HE HAD BEEN ABDUCTED AT APPROXIMATELY 6:50 A.M.

DETECTIVE WINGO, STOCKTON, CALIFORNIA POLICE DEPARTMENT, TESTIFIED THAT HE HAD INTERVIEWED ULYSSES HALL IN SEATTLE, WASHINGTON, SHORTLY AFTER HIS ARREST APRIL 24, 1974, FOR A PERIOD OF FOUR OR FIVE HOURS. HALL INDICATED TO HIM AT THAT TIME THAT HE HAD ARRIVED IN SEATTLE IN THE LATER PART OF MARCH AND HAD STAYED IN SEATTLE UNTIL HIS ARREST.

HALL INDICATED TO WINGO THAT HE HAD BEEN LIVING IN STOCKTON, CALIFORNIA IN DECEMBER OF 1973 AND HAD BEEN USING NARCOTICS. BEING TOO "DIRTY" TO FACE HIS PROBATION OFFICER, HE HAD, IN JANUARY OF 1974, CHECKED INTO THE

FAIRMONT HOSPITAL FOR TREATMENT OF HIS NARCOTICS ADDICTION. HE INDICATED THAT IN MARCH OF 1974 HE HAD GONE FROM STOCKTON TO OAKLAND WHERE HE OBTAINED NARCOTICS WHICH HE SOLD ON THE STREET IN SUFFICIENT QUANTITY TO EARN MONEY ENOUGH TO BUY A PLANE TICKET TO SEATTLE.

ON CROSS-EXAMINATION, WINGO STATED THAT HALL HAD FREELY ADMITTED BEING A PAROLE VIOLATOR, HAD SAID HE HAD SOLD DOPE, AND WAS AN ADDICT. WINGO ACKNOWLEDGED THAT HE DID NOT ATTEMPT TO GET PRECISE DATES REGARDING HALL'S TRAVEL BETWEEN SEATTLE AND STOCKTON, AND DID NOT ASK HALL SPECIFICALLY IF HE HAD LEFT SEATTLE DURING THE PERIOD LATE MARCH, 1974 TO THE TIME OF HIS ARREST.

GARY ALLEN ARMSTRONG, STOCKTON POLICE DEPARTMENT, TESTIFIED THAT HE HAD ARRESTED ULYSSES HALL FOR BEING UNDER THE INFLUENCE OF HEROIN, JANUARY 10, 1976. PHYSICAL EXAMINATION OF HALL DETERMINED THAT HE HAD ENLARGED PUPILS AND FRESH NEEDLE TRACKS. HE ASKED HALL TO SUBMIT TO A URINE TEST WHICH WOULD DETERMINE POSITIVELY WHETHER HE WAS UNDER THE INFLUENCE OF HEROIN, BUT HALL REFUSED TO TAKE SUCH

PAGE TEN

SF 7-855

A TEST. PHOTOGRAPHS TAKEN BY ARMSTRONG OF NEEDLE MARKS ON HALL'S ARM WERE ADMITTED INTO EVIDENCE. THERE WAS NO CROSS-EXAMINATION.

F. LEE BAILEY MOVED TO SUPPRESS CERTAIN ITEMS OF EVIDENCE SEIZED AT 288 PRECITA, CLAIMING THAT HE RECENTLY LEARNED THAT THE HOUSE AT 288 PRECITA HAD BEEN UNDER SURVEILLANCE FOR SOME THIRTY HOURS PRIOR TO ARRESTS THERE OF THE HARRISES.

JUDGE CARTER GRANTED BAILEY A HEARING AS TO THE SUPPRESSION OF THESE ITEMS, WHICH HEARING IS SCHEDULED FOR 9:30 A.M., MARCH 3, 1976.

END.

This pertains to the trial of Patricia Campbell Hearst in San Francisco, California, on 3/3/76.

Attached advises that during suppression hearing which was conducted outside the presence of the jury, F. Lee Bailey (defense attorney) urged that items found at 288 Precita should be suppressed due to fact that FBI Agents had surveilled this location for 30 hours prior to the arrest of the Harrises and had ample time to obtain search warrant.

ASAC Lawrence G. Lawler, San Francisco Office, testified that no search warrant was obtained since the Agents were not sure until moments before the arrest that they were actually watching the Harrises, therefore, did not have probable cause for search warrant. ASAC Lawler testified that purposes for entry were (1) to insure that Agents would not receive fire and (2) to apprehend any fugitive who might be in the house.

Special Agent Leo S. Brenneisen testified that the individuals he observed on surveillance on 9/17/75, resembled Bill and Emily Harris.

Judge Carter indicated he would study evidence presented and would decide matter and rule at 10:00 a.m., 3/4/76.

- 1 - Mr. Callahan
- 1 - Mr. Adams
- 1 - Mr. Mintz
- 1 - Mr. Moore
- 1 - Mr. Leavitt

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FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAR 4 1976

TELETYPE

SF 788

,4 01 SF CODE

12:25 AM NITEL 3/4/76 DNW

TO: DIRECTOR, FBI (7-15200)

LOS ANGELES

FROM: SAN FRANCISCO (7-855) (P)

ATTN: INTD; GID.

HEARNAB.

RE TRIAL OF PATRICIA HEARST MARCH 3, 1976.

COURT WAS NOT IN SESSION ON THE MORNING OF MARCH 3, 1976,
IN ORDER TO ALLOW BOTH SIDES TO PREPARE FOR A SUPPRESSION
HEARING CONCERNING ITEMS FOUND AT 288 PRECITA PROPERTY. AT
1:30 P.M. THE SUPPRESSION HEARING WAS BEGUN OUTSIDE THE
PRESENCE OF THE JURY.

F. LEE BAILEY URGED THAT ITEMS FOUND AT 288 PRECITA
SHOULD BE SUPPRESSED DUE TO THE FACT THAT FBI AGENTS HAD
SURVEILLED ~~SURVEILLED~~ THE LOCATION FOR APPROXIMATELY 30 HOURS PRIOR TO
THE ARREST OF HARRISES AND HAD AMPLE TIME TO HAVE PRESENTED
THE FACTS TO A MAGISTRATE TO OBTAIN A SEARCH WARRANT. BY
FAILING TO DO THIS, BAILEY MAINTAINED, THE GOVERNMENT
ACTED ILLEGALLY UPON MAKING ITS ENTRY FOLLOWING THE HARRISES
ARREST. IN SUPPORT OF HIS MOTION TO SUPPRESS BAILEY CALLED
THE FOLLOWING TWO WITNESSES:

Dep. A.D. Adm. ☒
Dep. A.D. Inv. ☒
Asst. Dir. ☒
Admin. ☒
Ext. Affairs ☒
Files & Com. ☒
Gen. Inv. ☒
Ident. ☒
Inspection ☒
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Legal Coun. ☒
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Director Sec'y ☒

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EX-116

REC 87-15200-7626

MAR 10 1976

84 MAR 15 1976

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ASAC LAWRENCE G. LAWLER, FBI, SAN FRANCISCO, TESTIFIED THAT HE HAD PARTICIPATED IN THE SURVEILLANCE SEPTEMBER 17, 1975, OF THE PREMISES AT 288 PRECITA AND TWO PERSONS WHO WERE SEEN TO COME AND GO THEREFROM WHO LATER PROVED TO BE BILL AND EMILY HARRIS.

HE INDICATED THAT DESPITE SURVEILLANCE CAMERA PHOTOGRAPHS TAKEN OF THE INDIVIDUALS SUSPECTED OF BEING BILL AND EMILY HARRIS, HE AND OTHER AGENTS FAMILIAR WITH THE CASE WERE UNABLE TO POSITIVELY IDENTIFY THESE INDIVIDUALS AS BILL AND EMILY HARRIS ON THE BASIS OF VISUAL OBSERVATION.

BAILEY ASKED LAWLER IF HE HAD PREVIOUSLY TESTIFIED AT THE SUPPRESSION HEARING AT LOS ANGELES THAT HE HAD SEEN BILL HARRIS GO INTO A STORE WITH A NEWSPAPER IN HIS HAND.

ASAC LAWLER CORRECTED BAILEY WHO WAS READING FROM A TRANSCRIPT SAYING THAT HE BELIEVES HIS TESTIMONY WAS THAT HE OBSERVED HARRIS COME OUT OF THE STORE RATHER THAN GO INTO THE STORE WITH A NEWSPAPER IN HIS HAND. BAILEY ACKNOWLEDGED HIS ERROR.

LAWLER TESTIFIED THAT DESPITE HIS OBSERVATIONS OF THE INDIVIDUALS INVOLVED AND THE OBSERVATIONS OF OTHER AGENTS CLOSELY INVOLVED IN WORKING THE CASE OVER A LONG PERIOD OF TIME NO FIRM IDENTIFICATION OF HARRIS COULD BE MADE BASED ON SURVEILLANCE AND PHOTOGRAPHS OF THE INDIVIDUALS SUSPECTED OF BEING THE HARRISES. HE TESTIFIED THAT A SURVEILLANCE WAS ESTABLISHED AND ORDERS WERE GIVEN THAT AGENTS SHOULD NOT STOP OR SURVEIL ANYONE LEAVING THAT LOCATION UNLESS IT WAS INDICATED THAT THEY WERE PACKING AND MOVING IN WHICH CASE AGENTS SHOULD STOP THE PERSONS RESEMBLING BILL AND EMILY HARRIS AND REQUIRE IDENTIFICATION.

LAWLER TESTIFIED THAT IT WAS HIS BELIEF THAT THE BUREAU IS NOT ENTITLED TO GET A SEARCH WARRANT UNTIL AFTER THE ARREST BECAUSE UNTIL THEN THERE WAS NOT SUFFICIENT PROBABLE CAUSE. HE POINTED OUT THAT PROBABLE CAUSE WAS GENERATED AFTER THE ARREST AND THE SEARCH FOR PERSONS AT THE 288 PRECITA ADDRESS. HE TESTIFIED THAT THE TWO PURPOSES FOR ENTRY BEING MADE AT 288 PRECITA WERE: 1. TO INSURE THAT AGENTS WOULD NOT

RECEIVE FIRE FROM ANY PERSONS IN THE HOUSE, AND 2. TO APPREHEND ANY FUGITIVES WHO MIGHT BE IN THE HOUSE. HE ACKNOWLEDGED THAT THE FRONT DOOR HAD BEEN PADLOCKED AND AGENTS HAD CIRCUMVENTED THIS LOCK BY ENTERING A GLASS WINDOW WHICH THEY BROKE.

HE INDICATED THAT SA JOHN J. SCHREIBER HAD BEEN PRESENT WHEN THE HASP ON THE CLOSET DOOR HAD BEEN BROKEN AND POINTED OUT THAT AGENTS WERE NOT CERTAIN AT THE TIME THEY BROKE THE HASP THAT THEY WERE DEALING WITH A CLOSET DOOR. HE INDICATED THAT CONTRABAND WAS OBSERVED IN THE CLOSET BUT WAS NOT REMOVED THEREFROM DESPITE CONTRARY FINDING OF FACT BY JUDGE BRENDLER IN THE HARRIS CASE IN LOS ANGELES.

SA LEO S. BRENNEISEN TESTIFIED THAT THE INDIVIDUALS HE OBSERVED ON THE SURVEILLANCE SEPTEMBER 17, 1975, RESEMBLED BILL AND EMILY HARRIS. HE ACKNOWLEDGED THAT HE HAD PREVIOUSLY TESTIFIED THAT FBI OFFICIALS FELT ON SEPTEMBER 17, 1975, THAT IT WAS "VERY LIKELY" THESE TWO INDIVIDUALS WERE BILL AND EMILY HARRIS. HE TESTIFIED AT THIS HEARING, HOWEVER, THAT THE TERM "VERY LIKELY" IS PERHAPS TOO STRONG AND HE

PAGE FIVE

SF 7-855

MERELY MEANT TO INDICATE THAT BUREAU OFFICIALS HAD DETERMINED THAT THE POSSIBILITY EXISTED THAT BILL AND EMILY HARRIS WERE IN FACT THE INDIVIDUALS OBSERVED.

AT THE CLOSE OF TESTIMONY BY LAWLER AND BRENNEISEN ARGUMENTS BY BAILEY AND AUSA EDWARD DAVIS WERE HEARD. BAILEY CHALLENGED THE ADMISSIBILITY OF THE EVIDENCE ON THE ABOVE STATED GROUNDS. DAVIS POINTED OUT THAT PATRICIA HEARST LACKED STANDING TO OBJECT, THE DEFENSE HAD WAIVED ANY RIGHT TO CHALLENGE THE ADMISSIBILITY OF THESE ITEMS DUE TO THE UNTIMELY OBJECTION, PUBLIC EMERGENCY IN THE FORM OF ANY POSSIBLE SHOOTOUT AND ^{SIEGE} ~~SOOT~~, AND THE FACT THAT THE EVIDENCE WAS BEING OFFERED FOR IMPEACHMENT PURPOSES WHICH WOULD RENDER MOOT ANY ARGUABLE ILLEGALITY OF THE SEARCH. ALL MILITATED AGAINST THE SUPPRESSION OF THIS EVIDENCE.

CARTER INDICATED THAT HE WOULD STUDY THE EVIDENCE PRESENTED DURING THE HEARING AND OTHER RELEVANT EVIDENCE THEN BEFORE HIM AND WOULD DECIDE THE MATTER AND BE PREPARED TO RULE AT 10:00 A.M., MARCH 4, 1976.
END.

GENERAL INVESTIGATIVE DIVISION
HEARST

This concerns the trial of Patricia Campbell Hearst in San Francisco, California, on 3/4/76.

Attached advises Judge Carter ruled against suppression motion by the defense and stated he would allow in evidence certain items seized from 288 Precita Street. Judge Carter based his decision on Hearst's lack of standing to object to any illegality on the search explaining that Hearst had no proprietary or possessory items at 288 Precita and had denied ever entering 288 Precita. Defense objected to admission of two documents based on prejudice: (1) A diagram of the Marysville Avenue Branch, Bank of America, in Sacramento, California, which contained two lines of handwriting identified with Patricia Hearst, and (2) a document entitled "Bakery" comprising of a list of preparations for a bank robbery. Judge Carter concurred with defense and suppressed item number one and denied motion to suppress item number two.

Doctor Rodd W. Perry, intern on duty, San Francisco General Hospital, testified he treated young lady on 8/12/75, for poison oak but was not able to identify Hearst as the person he examined on that occasion since patient's face was badly swollen. Judge Carter admitted into evidence by stipulation several items including apparent manuscripts for a book on the SLA, writings on militant feminism, shopping list for items which could constitute bomb components, and pages of political rhetoric. Judge Carter strongly urged U. S. Attorney James L. Browning, Jr., to proceed with the introduction of evidence at 9:30 a.m., 3/5/76.

- 1 - Mr. Callahan
- 1 - Mr. Adams
- 1 - Mr. Mintz
- 1 - Mr. Moore
- 1 - Mr. Leavitt

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FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAR 05 1976

TELETYPE

SF 825

NR 001 SF CODE

QWHPAM NITEL 3/5/76 JGR

TO: DIRECTOR, FBI (7-15200)
LOS ANGELES

FROM: SAN FRANCISCO (7-855) (P)

ATTN: INTD; GID.

HEARNAB.

RE TRIAL OF PATRICIA HEARST, MARCH 4, 1976.

AT THE OPENING OF TRIAL THIS DATE JUDGE CARTER ANNOUNCED THAT HE WOULD RULE AGAINST THE SUPPRESSION MOTION BY THE DEFENSE AND WOULD ALLOW IN EVIDENCE CERTAIN ITEMS SEIZED FROM 288 PRECITA STREET. CARTER BASED HIS DECISION ON PATRICIA HEARST'S LACK OF STANDING TO OBJECT TO ANY ILLEGALITY ON THE SEARCH. CARTER EXPLAINED THAT HEARST HAD NO PROPRIETARY OR POSSESSORY ITEMS AT 288 PRECITA AND HAD DENIED EVER ENTERING 288 PRECITA.

THE DEFENSE THEN INTERPOSED OBJECTIONS TO ADMISSION OF TWO DOCUMENTS SPECIFICALLY FROM THE 288 PRECITA ADDRESS ON THE BASIS OF PREJUDICE. THE TWO DOCUMENTS OBJECTED TO WERE: 1). A DIAGRAM OF THE MARYSVILLE AVENUE BRANCH, BANK OF AMERICA, IN SACRAMENTO, CALIFORNIA, BEARING

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EX-116 REC 87-15200-762
MAR 10 1976

84 MAR 15 1976

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PAGE TWO

SF 7-855

HANDWRITTEN NOTES EVIDENTLY PURSUANT TO A CASING OF THE BANK. AT THE BOTTOM OF THE DIAGRAM WERE TWO LINES OF HANDWRITING IDENTIFIED WITH PATRICIA HEARST DESCRIBING THE "SEVEN EMPLOYEES, TWO MALES, ONE YOUNG AND NERVOUS, MANAGER OF FAT BLACK;" AND 2). A DOCUMENT ENTITLED "BAKERY" WHICH COMPRISES A LIST OF PREPARATIONS FOR A BANK ROBBERY.

BAILEY INDICATED THAT THE PREJUDICE TO MISS HEARST FROM THOSE ITEMS FAR OUTWEIGHED ANY PROBATIVE VALUE.

CARTER CONCURRED IN BAILEY'S EVALUATIONS OF THE FIRST ITEM INDICATING THAT BECAUSE THE BANK WAS IDENTIFIED WITH SACRAMENTO, CALIFORNIA, AND A HOMICIDE HAD OCCURRED DURING THE ROBBERY OF A BANK NEAR SACRAMENTO RECEIVING MUCH PUBLICITY, A SERIOUS DANGER EXISTED THAT JURORS WOULD ASSOCIATE THE SKETCH IN THEIR MINDS WITH THE FEATURED SACRAMENTO AREA BANK ROBBERY.

HOWEVER, HE DENIED THE MOTION TO SUPPRESS AS TO THE LIST OF BANK ROBBERY PREPARATIONS CONCURRING WITH BROWNING'S ARGUMENT THAT SUCH A LIST COULD NOT BE LINKED WITH ANY

PAGE THREE

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PARTICULAR ROBBERY BUT SHOWED PREPARATIONS TO COMMIT A BANK ROBBERY, TENDING TO NEGATE HEARST'S ALLEGATIONS OF COERCION AND TENDING TO SHOW HER PARTICIPATION IN PLANNING SUCH AN OPERATION.

DR. RODD W. PERRY, AN INTERN ON DUTY AT THE SAN FRANCISCO GENERAL HOSPITAL, TESTIFIED THAT HE HAD TREATED A YOUNG LADY AUGUST 12, 1975, FOR POISON OAK. ON MEDICAL RECORDS THE YOUNG WOMAN GAVE HER NAME AS AMY ANDREWS. PRESCRIPTION BOTTLES FOUND AT 625 MORSE STREET IN THE NAME AMY ADAMS. PERRY INDICATED THAT HE WAS NOT ABLE TO IDENTIFY HEARST AS THE PERSON HE EXAMINED ON THAT OCCASION AND TESTIFIED THAT THE FACE OF THE PATIENT HAD BEEN BADLY SWOLLEN ON ONE SIDE, DISTORTING HER FEATURES. HE INDICATED THAT THE PATIENT'S AGE, WEIGHT, BUILD, SEX, AND RACE WERE CONSISTENT WITH THOSE OF MISS HEARST. HE STATED THAT HIS RECOLLECTION OF THE WHITE MALE WHO ACCOMPANIED MISS HEARST TO THE HOSPITAL DID NOT MATCH PHOTOGRAPHS HE HAD OBSERVED OF WILLIAM HARRIS. HE ACKNOWLEDGED THAT HEARST BEHAVED NORMALLY, DID NOT SEEM

PAGE FOUR

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WITHDRAWN OR DISORIENTED, AND GAVE APPROPRIATE ANSWERS TO THE QUESTIONS HE ASKED. HE TESTIFIED, HOWEVER, THAT SHE WAS EVASIVE WHEN ASKED WHERE SHE HAD CONTRACTED THE POISON OAK.

THE DOCTOR TESTIFIED THAT THE PATIENT HAD GIVEN A BAD ADDRESS ON MASONIC STREET IN SAN FRANCISCO WHICH, THE DEFENSE STIPULATED, IS A NONEXISTENT ADDRESS.

LENGTHY RECESSES WERE HELD AS ATTORNEYS DISCUSSED STIPULATIONS REGARDING PARTICULAR DOCUMENTS WHICH CARTER HAD RULED ADMISSIBLE. SEVERAL OF THESE ITEMS WERE ADMITTED INTO EVIDENCE BY STIPULATION INCLUDING APPARENT MANUSCRIPTS FOR A BOOK ON THE SLA, WRITINGS ON MILITANT FEMINISM, SHOPPING LISTS FOR ITEMS WHICH COULD CONSTITUTE BOMB COMPONENTS, AND PAGES OF POLITICAL RHETORIC.

A LENGTHY HEARING WAS HELD IN THE AFTERNOON REGARDING A DOCUMENT SUBPOENAED BY F. LEE BAILEY FROM PROSECUTION PSYCHIATRIST DOCTOR JOEL FORT. DOCTOR FORT EXPOUNDED HIS VIEWS ON MEDIA EXPLOITATION OF VIOLENCE AND IMPROPER UTILIZATION OF PSYCHIATRIC TESTIMONY IN CRIMINAL CASES.

PAGE FIVE

SF 7-855

AT THE CLOSE OF THE HEARING JUDGE CARTER ORDERED FORT TO
PRODUCE THE ITEM SUBPOENAED BY BAILEY IF THE ITEM WAS IN
HIS POSSESSION OR AVAILABLE TO HIM AND STRONGLY URGED
USA JAMES L. BROWNING. JR., TO PROCEED WITH THE
INTRODUCTION OF EVIDENCE AT 9:30 A.M., MARCH 5, 1976.

END.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

FEB 17 1976
TELETYPE

Assoc. Dir.	
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Director Sec'y	

SF NR 311

NR 007 SF CODE

3:21 PM URGENT 2/17/76 MCC

TO DIRECTOR (7-15200)

FROM SAN FRANCISCO (7-855)

ATTN GID, INTD, OFFICE OF LEGAL COUNSEL, AND
FBI LABORATORY - LATENT FINGERPRINT SECTION
HEARNAP, OO SAN FRANCISCO

RE MICHAEL ALEXANDER BORTIN

RE SAN FRANCISCO TELETYPE TO DIRECTOR FEBRUARY 2, 1976.

ON FEBRUARY 17, 1976, TELEPHONIC CONVERSATION WITH
INVESTIGATOR DON JONES, ALAMEDA COUNTY DISTRICT ATTORNEY'S OFFICE,
CONFIRMED THAT REVOCATION HEARING REGARDING BORTIN IS SCHEDULED
FOR 2 PM, FEBRUARY 19, 1976 AT OAKLAND, CALIFORNIA.

FINGERPRINT SPECIALISTS MAC BRIDE AND HURT SHOULD PLAN ON
ARRIVING WEDNESDAY EVENING AS ASSISTANT DISTRICT ATTORNEY
JEFFREY HORNER DESIRES PRE-HEARING CONFERENCE AT 12:30 ON THE 19TH.
END

EX-101 REC-25

7-15200-7628

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3/4/76
GENERAL INVESTIGATIVE DIVISION
HEARNAP

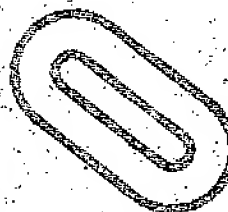
LOS ANGELES TRIAL OF WILLIAM AND EMILY HARRIS

Attached advises Superior Court Judge Mark Brandler ruled the search at 625 Morse Street (residence where Hearst and Yoshimura arrested in San Francisco) valid. As you are aware, Judge Brandler ruled on 3/1/76, search at 288 Precita Street (residence of the Harrises in San Francisco) was invalid inasmuch as sufficient time had elapsed from time of initial sighting of Harrises to their arrest indicating there was time to obtain a search warrant.

- 1 - Mr. Callahan
- 1 - Mr. Adams
- 1 - Mr. Leavitt
- 1 - Mr. Mintz
- 1 - Mr. Moore

JBL:pdh

JBL



FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAR 03 1976

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NR 014 LA PLAIN

403 PM NITEL 3-3-76 JMG

TO DIRECTOR (7-15200)

SAN FRANCISCO (7-855)

SACRAMENTO (7-203)

FROM LOS ANGELES (7-1627) (P)

ATTN: GID, INTD & OFFICE OF LEGAL COUNSEL

HEARNAP, OO: SAN FRANCISCO.

LOS ANGELES TRIAL OF WILLIAM AND EMILY HARRIS

RE LOS ANGELES TEL TO THE BUREAU MARCH 1, 1976.

IN CONNECTION WITH THE DEFENSE PRE-TRIAL MOTION CON-

CERNING LEGALITY OF FBI ENTRY AT 625 MORSE STREET, SAN

FRANCISCO, CALIFORNIA, THIS DATE, SUPERIOR COURT JUDGE MARK

BRANDLER RULED THE SEARCH VALID.

END

REC-110

7-15200 7621

MAR 10 1976

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cc - legal coun

84 MAR 15 1976

3/2/10
GENERAL INVESTIGATIVE DIVISION
HEARNAL

Los Angeles Trial of William and Emily Harris

Attached from Los Angeles Office advises that in connection with defense pre-trial motion concerning the legality of FBI entry at 288 Precita Street, San Francisco (address where the Harrises were arrested), Los Angeles Superior Court Judge Mark Brandler ruled the search invalid. Judge Brandler based the ruling on belief emergency conditions did not exist at time of initial entrance by Bureau Agents inasmuch as sufficient time had elapsed between the initial sighting of the Harrises indicating there was time to obtain a search warrant. b7c

Judge Brandler also heard arguments concerning legality of entry into 625 Morse Street (location where Hearst and Yoshimura arrested), however, no ruling has been made to date.

- 1 - Mr. Callahan
- 1 - Mr. Adams
- 1 - Mr. Cochran
- 1 - Mr. Leavitt
- 1 - Mr. Mintz
- 1 - Mr. Moore

JBL:pdh

JBL

Handwritten notes and signatures:
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FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

FEB 20 1976

TELETYPE

SF NR 394

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9:25 PM N TEL FEBRUARY 19, 1976, MJE

TO: DIRECTR (7-15200)

NEW YORK (7-1976)

PHILADELPHIA (7-1299)

FROM: SAN FRANCISCO (7-855)

ATTN: INTD AND GID

HEARNAP, OO: SF.

PAUL KENNETH HOCH, AKA, EM - SLA.

RE SAN FRANCISCO TELETYPE TO BUREAU AND NEW YORK,
FEBRUARY 18, 1976, AND SAN FRANCISCO TEL CALL TO NEW YORK,
FEBRUARY 19, 1976.

RE: TESTIMONY OF PATRICIA HEARST.

USA BROWNING TODAY QUESTIONED PATRICIA HEARST
REGARDING THE LOCATION OF THE FARMHOUSE AT JEFFERSONVILLE,
NEW YORK. HEARST STATED THEY WENT TO THIS FARMHOUSE FROM THE
FARMHOUSE AT HONESDALE, PENNSYLVANIA, IN WENDY YOSHIMURA'S CAR.
THE FARMHOUSE AT JEFFERSONVILLE WAS RENTED BY MICKI SCOTT AND
IS "NEXT TO JEFFERSONVILLE, NEW YORK." ACCORDING TO PATRICIA
HEARST THE FARM WAS A CREAMERY AND APPARENTLY THE OWNER BUILT A
ONE ROOM NEW FARMHOUSE ON THE PROPERTY. IT IS NOT BELIEVED THAT
THE CREAMERY WAS ALTERED, BUT THIS IS UNKNOWN. ACCORDING

Relay to Legat 017
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REC-69 7-15200-7630
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PAGE TWO SF 7-855

TO THE TESTIMONY, THEY STAYED THERE FOR TWO MONTHS, AND THEN RETURNED TO THE HONESDALE FARMHOUSE FOR TWO WEEKS. AT THAT TIME PATRICIA HEARST, JACK SCOTT, AND SCOTT'S DOG LEFT IN A VAN FOR LAS VEGAS, THIS TRIP LASTING THREE OR FOUR DAYS.

IT MAY BE NOTED THAT THE CAR PROBABLY BEING OPERATED BY WENDY YOSHIMURA DURING THE PERTINENT PERIOD IS A 1966 RED VOLKSWAGEN AND AT THAT TIME IT PROBABLY HAD NEW JERSEY PLATES VRM 867.

FOLLOWING HEARST'S TESTIMONY, AGENTS DISCUSSED THIS MATTER WITH HER ATTORNEYS WHO ADVISED THEY DID NOT KNOW WHERE THE FARMHOUSE WAS AND DOUBTED IF PATRICIA HEARST COULD FIND THE FARMHOUSE.

END

CC: INTELL DIV.

LA 231

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

NR 011 LA PLAIN

MAR 01 1976

620 PM URGENT 03/01/76 SJS

TELETYPE

TO DIRECTOR (7-15200)
SAN FRANCISCO (7-855)
SACRAMENTO (7-203)

FROM LOS ANGELES (7-1627) (P)

ATTN: GID, INTD AND OFFICE OF LEGAL COUNSEL

HEARNAP, OO: SAN FRANCISCO.

LOS ANGELES TRIAL OF WILLIAM AND EMILY HARRIS.

IN CONNECTION WITH DEFENSE PRE-TRIAL MOTION CONCERNING
THE LEGALITY OF FBI ENTRY AT 288 PRECITA AND 625 MORSE, SAN
FRANCISCO, ASSISTANT DISTRICT ATTORNEY DINO FULGONI, LOS
ANGELES, CALIFORNIA, ADVISED AS FOLLOWS:

ON THIS DATE, LOS ANGELES SUPERIOR COURT JUDGE MARK
BRANDLER HAD RULED THE SEARCH OF 288 PRECITA, SAN FRANCISCO,
INVALID. JUDGE BRANDLER BASED THE RULING ON BELIEF THAT
EMERGENCY CONDITIONS DID NOT EXIST AT THE TIME OF INITIAL
ENTRANCE INTO THAT RESIDENCE BY BUREAU AGENTS. THAT BELIEF
IS BASED ON THE FOLLOWING:

(1) APPROXIMATELY ONE AND ONE-HALF YEARS HAD PASSED
WITHOUT INDICATION OF VIOLENCE BY HARRISES AND HEARST.

84 MAR 18 1976

Admin. Serv. _____
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Asst. Dir. _____
Admin. Serv. _____
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Legal Coun. _____
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Director Sec'y _____

REC-111

7-15200-7631

MAR 10 1976

MAR 5 8 13 AM '76

6-6

PAGE TWO

LA 7-162

(2) APPROXIMATELY THIRTY HOURS HAD PASSED BETWEEN INITIAL SIGHTING OF WILLIAM HARRIS AT THE PRECITA ADDRESS AND SUBSEQUENT ARREST. DURING THAT TIME NO EFFORT WAS MADE TO OBTAIN A SEARCH WARRANT.

b7c

JUDGE BRANDLER HEARD ARGUMENTS CONCERNING LEGALITY OF THE 625 MORSE STREET, SAN FRANCISCO, SEARCH HOWEVER NO RULING HAS BEEN MADE TO DATE.

END

1

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Legal coun

PLAINTEXT

TELETYPE

URGENT

3-3-76

TO: SAC, SAN FRANCISCO (7-855)

FROM: DIRECTOR, FBI (7-15200)

HEARNAP.

REFERENCE TELCAL ON MARCH 3, 1976.

REMAINING UNIDENTIFIED LATENT FINGERPRINTS FROM
RESIDENCES AT 625 MORSE STREET, 288 PRECITA AVENUE AND 401
IRVINGTON STREET, COMPARED AVAILABLE FINGERPRINTS [REDACTED]

[REDACTED] WITHOUT EFFECTING AN
IDENTIFICATION. PALM PRINTS NOT AVAILABLE IN IDENTIFICATION
DIVISION FILES FOR [REDACTED]

PRINTS FOR [REDACTED]

TEMPORARILY OUT OF FILE.

EXAMINATION CONTINUING.

EX-116

TM; rwb

REC-3

7-15200-7632

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAR 4 1976

5 MAR 10 1976

TELETYPE

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Director _____

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FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

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Legal Coun.	
Telephone Rm.	
Director Sec'y	

LA 357

MAR 9 / 1976

TELETYPE

NR 013 LAPLAIN

3:40PM NITEL 3/4/76 ANR

TO BUREAU (7-15200)

SAN FRANCISCO (7-855)

FROM LOS ANGELES (7-1627) (P)

ATTN: GID, INTD & OFFICE OF LEGAL COUNSEL

HEARNAP, OO: SAN FRANCISCO.

LOS ANGELES TRIAL OF WILLIAM AND EMILY HARRIS.

RE LOS ANGELES TELS TO THE BUREAU FEBRUARY 24, 1976, AND MARCH 3, 1976.

IN CONNECTION WITH DEFENSE PRE-TRIAL MOTION TO SUPPRESS
IN-COURT IDENTIFICATION, SA GERALD A. THEIL TESTIFIED IN
SUPERIOR COURT, LOS ANGELES MARCH 2, 1976.

REGARDING THE SAME MOTION, SA'S DONALD K. CRABTREE,
W. EDWARD HUMPHREY AND JOHN W. ORR LOS ANGELES, TESTIFIED ON MARCH
3, 1976. SUPERIOR COURT JUDGE MARK BRANDLER HAS NOT YET RULED ON THIS
MOTION. BUREAU AND SAN FRANCISCO WILL BE KEPT ADVISED.

END

REC-111

7-15200-7633

MAR 10 1976

84 MAR 17 1976

6-6

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. Cochran
1 - Mr. Boyd

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
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Telephone Rm. _____
Director Sec'y _____

TO : J. Cochran, Jr. *JCP*

DATE: 2/27/76

FROM : F. T. Boyd *FTB*

SUBJECT: HEARNAP

My earlier memorandum today advised that Defense Attorney F. Lee Bailey was considering issuing a subpoena for Chicago polygraph examiner SA [redacted] to appear as a defense witness to explain the polygraph technique to the court. This possibility was brought about through the recommendation of Leonard H. Harrelson, Director of a commercial polygraph institute.

Subsequently, Harrelson telephoned FBI Headquarters to Polygraph Supervisor [redacted] who explained the Bureau's position in this matter and suggested it would be advisable for Bailey to look elsewhere for a Government polygraph expert. Following this conversation Harrelson telephoned SA [redacted] and said he would recommend to Bailey that an FBI polygraph expert not be used. He advised that he would recommend that Bailey seek the services of [redacted] *b7c*

SA [redacted] will keep us advised if he receives any further word from Harrelson. No further action on our part appears necessary at this time. We will keep you advised of any further pertinent developments.

ACTION:

None. For information.

REC-78

EX-115

7-15200-7634

5 MAR 12 1976

7 - 15200

- 1 - Mr. Adams
- 1 - Mr. Jenkins
- 1 - Mr. Gallagher (Attn: Mr. Anthony)

KTB:bm

(6)

84 MAR 22 1976

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAR 03 1976

TELETYPE

LA 305

NR 006 LA PLAIN

2:40 PM URGENT 3-3-76 SMA

TO DIRECTOR (7-15200)

SAN FRANCISCO (7-855)

FROM LOS ANGELES (7-1627) (P)

ATTN: GID, INID & OFFICE OF LEGAL COUNSEL

HEARNAP, OO: SAN FRANCISCO.

LOS ANGELES TRIAL OF WILLIAM AND EMILY HARRIS

RE TELEPHONE CONVERSATION BETWEEN SA [REDACTED]

LOS ANGELES, AND [REDACTED], OFFICE OF LEGAL COUNSEL, THIS
DATE.

ISSUE HAS BEEN RAISED BY HARRIS DEFENSE COUNSEL ALLEGING
EYEWITNESS IDENTIFICATION AT MEL'S SPORTING GOODS STORE, INGLE-
WOOD, CALIFORNIA, ON MAY 16, 1974, MAY BE TAINTED. IN VIEW OF
THE ABOVE, THE FOLLOWING THREE LOS ANGELES AGENTS HAVE BEEN
CALLED TO TESTIFY CONCERNING PHOTOGRAPH SPREADS EXHIBITED TO
WITNESSES BY THEM ON MAY 16-17, 1974:

SA W. EDWARD HUMPHREY

SA DONALD K. CRABTREE

SA DARRELL W. SHAVER

EX-115

REC-78

MAR 12 1976

ASSISTANT U. S. ATTORNEY (AUSA) WILLIAM J. RATHJE, LOS
ANGELES, CALIFORNIA, ADVISED U. S. ATTORNEY'S OFFICE, LOS

Assoc. Dir.	
Dep. A.D. Adm.	
Dep. A.D. Inv.	
Asst. Dir.:	
Admin.	
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Legal Coun.	
Telephone Rm.	
Director Sec'y	

8 MAR 22 1976

6-6a

PAGE TWO LA 7-1627

ANGELES, HAS NO OBJECTION TO THEIR APPEARANCE IN LOCAL COURT. HE FURTHER ADVISED THE DEPARTMENT HAS BEEN NOTIFIED AND APPROVAL GRANTED.

UACB, THE ABOVE AGENTS WILL TESTIFY LATE AFTERNOON THIS DATE.

END

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. _____
Dep. AD _____
Asst. Dir. _____
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Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

TO : Mr. Gallagher

DATE: 3/5/76

FROM : B. H. Cooke

SUBJECT: HEARNAP

1 - Mr. Callahan

1 - Mr. Adams

1 - Mr. Gallagher

1 - Mr. O'Connell

1 - Mr. Cooke

1 - Mr. Anthony

1 - Mr. Mintz

At 10:00 a.m. this date, Departmental Attorney Brandon Alvey telephonically notified the General Investigative Division he had just received an anonymous telephone call relating to the captioned matter. Mr. Alvey stated a male caller he estimated to be 20 years of age, stated he was calling for Jack Scott, who wished to be contacted by the Government to discuss the Patricia Campbell Hearst trial. The caller revealed Jack Scott would be at exchange 20-246-8557 for the next few days, and terminated the call.

Newark Division determined the above exchange is listed to V. K. Burbank, 116 Johnson Street, Highland Park, New Jersey. [REDACTED] 62

[REDACTED] It was subsequently determined the listing was used by Phillip Kent Shinnick at the time of the check, which was 2/15/75.

Inasmuch as Jack Scott and his wife, Micki, are currently before a Federal Grand Jury at Harrisburg, Pennsylvania, Mr. Alvey was informed no attempt would be made to verify this apparent overture until the matter is fully discussed with U. S. Attorney (USA) John Cattone, Middle District of Pennsylvania. Mr. Alvey was in full agreement with this observation.

ACTION: This information will be furnished to San Francisco and Philadelphia Divisions, who will be instructed to relay same to their respective USAs.

EA/brb (8)

EX-115

REC-78

7-15200-7636

MAR 12 1976

84 MAR 22 1976

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAR 05 1976

SF NR 852

NR 025 SF CODE

TELETYPE

5:50PM NIEL MARCH 5, 1976, MJE

TO: DIRECTOR, FBI (7-15200)

FROM: SAN FRANCISCO (7-855) (P)

ATTN: FBI LABORATORY.

HQARNAD

RE WENDY MASAKO YOSHIMURA.

Assoc. Dir.	
Dep. A.D. Adm.	
Dep. A.D. Inv.	
Asst. Dir.:	
Adm. Serv.	
Comp. Syst.	
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Director Sec'y	

FBI LABORATORY IS REQUESTED TO FURNISH FBI, SAN FRANCISCO, WITH ONE EIGHT BY TEN PHOTOGRAPH OF EACH ITEM OF EVIDENCE THAT CORRESPONDS TO ASSIGNED Q NUMBERS 2311, 2312, AND 2313. THE REASON FOR THIS REQUEST IS TO ESTABLISH THE CONDITION OF THESE ITEMS OF EVIDENCE PRIOR TO PROCESSING BY FBI LABORATORY.

END.

EX-115

REC-78

7-15200-7637

MAR 12 1976

Airtel to SF

3/9/76

BRG:clb

Airtel

1 - Mr. GILL

3/9/76

To: SAC, San Francisco (7-855)

From: Director, FBI (7-15200) — 7637

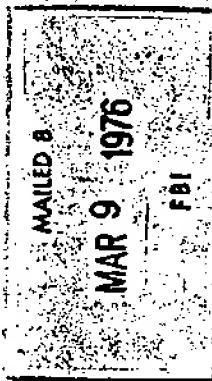
HEARNAP EX-115

Re Wendy Masako Yoshimura.

Reurnitel 3/5/76.

Enclosed are two photographs each of Q2311, Q2312, and Q2313 as requested.

Enclosures (6)



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BRG:clb (4)

84 MAR 22 1976

TELETYPE UNIT

March 8, 1976
GENERAL INVESTIGATIVE DIVISION
HEARNAP

This concerns the trial of Patricia Campbell Hearst in San Francisco, California, on 3/5/76.

Attached advises Ronald Fergusson (FBI Cryptographic Section) testified regarding coded materials found in purses of Patricia Hearst and Wendy Yoshimura as well as in the wallet of William Harris subsequent to their arrest 9/18/75. Fergusson testified code was a numeric one based on word "paintbrush" where each letter stood for a digit and indicated that materials encoded were telephone numbers of pay phones primarily in the San Francisco area.

Special Agent Bob Gillam (FBI Document Analysis Section) testified identifying numerous items of Patricia Hearst's handwriting.

Prosecution offered to play entire jail tape of Hearst interview with Patricia Tobin (whose conversation while visiting Patricia Hearst in prison was recorded on 1/20/76) but defense objected and court sustained objection.

Doctor Joel Fort (Government consultant psychiatrist) testified regarding his qualifications as expert and admitted going to Hearst (Family) in attempt to get them to urge Patricia to plead guilty pointing out the strong potential for injurious psychological results to the defendant which would result from a public trial.

Court to reconvene 10:00 a.m., 3/8/76.

- 1 - Mr. Callahan
- 1 - Mr. Adams
- 1 - Mr. Cochran
- 1 - Mr. Leavitt
- 1 - Mr. Mintz
- 1 - Mr. Moore

TFM:erg

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAR 08 1976

TELETYPE

4001 SF CODE

12:30 AM NITEL 3/8/76 JGR

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Dep. A.D.-Inv.	
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Training	
Legal Coun.	
Telephone Rm.	
Director Sec'y	

TO: DIRECTOR, FBI (7-15200)

ADIC, LOS ANGELES

FROM: SAC, SAN FRANCISCO (7-855)

ATTN: GID, INTD, OFFICE OF LEGAL COUNSEL

HEARNAP

RE: TRIAL OF PATRICIA HEARST, MARCH 5, 1976

RONALD FERGURSON OF THE CRYPTOGRAPHIC SECTION OF THE FBI WAS CALLED TO TESTIFY REGARDING CODED MATERIALS FOUND IN THE PURSE OF PATRICIA HEARST, IN THE PURSE OF WENDY YOSHIMURA, AND IN THE WALLET OF WILLIAM HARRIS SUBSEQUENT TO THEIR ARREST SEPTEMBER 18, 1975. HE INDICATED THAT THE CODE WAS A NUMERIC ONE BASED ON THE WORD "PAINTBRUSH", WHERE EACH LETTER STOOD FOR A DIGIT. HE INDICATED THAT INVESTIGATION HAD DISCLOSED THAT THE MATERIALS ENCODED WERE TELEPHONE NUMBERS OF PAY PHONES PRIMARILY IN THE SAN FRANCISCO BAY AREA. THE ENCODED MATERIALS WERE THEN ENTERED INTO EVIDENCE.

ON CROSS EXAMINATION, AL JOHNSON ATTEMPTED TO DIMINISH THE SIGNIFICANCE OF THE ABOVE MATERIALS BY EMPHASIZING THE UNSOPHISTICATED NATURE OF THE CODE. FERGURSON ACKNOWLEDGED THAT THE CODE WAS NOT ONE OF THE MORE SOPHISTICATED ONES HE

84 MAR 22 1976

EX-115
REC-78

7-15200-7638

MAR 12 1976

SF 7-855 PAGE TWO

HAD ENCOUNTERED, BUT STATED THAT CERTAIN "NULLS" WHICH HAD NO NUMERICAL OR OTHER SIGNIFICANCE HAD BEEN INSERTED IN THE CODE TO THROW DECRYPTERS OFF IN ANY ATTEMPT TO BREAK THE CODE.

SA BOB GILLAM OF THE DOCUMENT ANALYSIS SECTION OF THE FBI LABORATORY TESTIFIED IDENTIFYING NUMEROUS ITEMS OF PATRICIA HEARST'S HANDWRITING. THE DEFENSE OBJECTED, INDICATING THAT THEY HAD STIPULATED THAT THE HANDWRITING WAS MISS HEARST'S AND USA BROWNING POINTED OUT THAT ALTHOUGH SHE HAD STIPULATED THAT THE HANDWRITING WAS HERS, AT ONE TIME SHE HAD, ON CROSS EXAMINATION REFUSED TO ~~EXERCISE HER~~ ACKNOWLEDGE THAT SHE HAD WRITTEN THE MATERIALS, TAKING THE FIFTH AMENDMENT. BROWNING STATED THAT THIS ARGUABLY HAD THE EFFECT OF RENEGGING THE STIPULATION, AND REQUESTED THAT IN ORDER TO HAVE A SOUND RECORD HE BE ALLOWED TO PRODUCE GILLAM'S TESTIMONY. THE OBJECTION WAS OVERRULED.

THE PROSECUTION OFFERED TO PLAY THE ENTIRE JAIL TAPE OF HEARST'S INTERVIEW WITH PATRICIA TOBIN, BUT THE DEFENSE OBJECTED, STATING THAT TAPE ITSELF COULD BE IN EVIDENCE AND SPENDING 20 OR 30 MINUTES TO PLAY THE TAPE BEFORE THE JURY WOULD BE UNNECESSARILY TIME CONSUMING. THE COURT SUSTAINED THE

SF.7-855, PAGE THREE

OBJECTION, POINTING OUT TO BROWNING THAT HE HAD SUSTAINED A SIMILAR OBJECTION BY THE PROSECUTION CONCERNING DR. WEST PLAYING TAPES OR TRANSCRIPTS OF HIS INTERVIEWS WITH PATRICIA HEARST.

DR. JOEL FORT, PREVIOUSLY RETAINED AS A GOVERNMENT CONSULTANT PSYCHIATRIST, NOW RETAINED AS AN EXPERT, TESTIFIED REGARDING HIS QUALIFICATIONS AS AN EXPERT. ON CROSS EXAMINATION REGARDING HIS EXPERT QUALIFICATIONS, BAILEY ASKED, "DID YOU SEE IT AS PART OF THIS ASSIGNMENT TO TRY AND FIX THIS CASE BEHIND MY BACK?" AFTER OBJECTION BY USA BROWNING, BAILEY ASKED FURTHER WHETHER DR. FORT HAD GONE TO THE HEARSTS IN AN ATTEMPT TO GET THEM TO URGE PATRICIA TO PLEAD GUILTY, SAYING THAT AT MOST SHE WOULD GET SIX MONTHS PROBATION. DR. FORT DID THIS, AND TESTIFIED THAT WITH THE FULL KNOWLEDGE OF AND AFTER FULL DISCUSSION WITH MR. BAILEY, MR. JOHNSON AND THE DEFENSE, USA BROWNING, AND AUSA BANCROFT, HE HAD POINTED OUT TO ALL PARTIES, INCLUDING THE HEARST FAMILY, THE STRONG POTENTIAL FOR INJURIOUS PSYCHOLOGICAL RESULTS TO THE DEFENDANT WHICH WOULD RESULT FROM A PUBLIC TRIAL. HE FURTHER TESTIFIED THAT MR. JOHNSON SPECIFICALLY HAD COMMENDED HIM FOR HIS CONCERN AND MOTIVES, AND COMPLEMENTED

SF 7-855, PAGE FOUR

HIM FOR HIS APPROACH.

ON FURTHER DIRECT EXAMINATION, DR. FORT EXPLAINED HOW HIS BACKGROUND AND EXPERIENCE WITH CRIMINAL DEFENDANTS WOULD LEAD HIM TO APPROACH THE EXAMINATION OF MISS HEARST DIFFERENTLY THAN PSYCHIATRISTS WHOSE PRINCIPAL EXPERIENCE WAS IN THE FIELD OF CLINICAL PRACTICE, THE ACADEMIC LIFE, OR THE ADMINISTRATION OF HOSPITALS OR EDUCATIONAL INSTITUTIONS. HE, FOR INSTANCE, DID NOT REFER TO THE CRIMINAL DEFENDANT AS A PATIENT. HE ATTEMPTED TO GAIN AS MUCH PRIMARY SOURCE MATERIALS IN THE WAY OF REVIEWING PHYSICAL EVIDENCE, WRITINGS, TAPES, FILMS, AND PHOTOGRAPHS AS HE COULD BEFORE EXAMINING THE CRIMINAL DEFENDANT HERSELF. HE INDICATED THAT THE PSYCHIATRISTS APPROACH TO A CRIMINAL DEFENDANT SHOULD INCLUDE "OPEN MINDED SKEPTICISM." HE POINTED OUT THAT HE WOULD NEVER MAKE AN AGREEMENT TO TESTIFY AND WOULD ONLY AGREE TO BE A CONSULTANT UNTIL SUCH TIME AS HE HAD EXAMINED THE DEFENDANT AND HAD REACHED CONCLUSIONS PURSUANT TO HIS TOTAL EXAMINATION. HE INDICATED THAT HE WOULD RATHER BE A CONSULTANT FOR THE GOVERNMENT THAN FOR THE DEFENSE BECAUSE IF A DOCTOR WAS RETAINED BY THE DEFENSE AND CAME TO CONCLUSIONS

SF 7-855, PAGE FIVE

ADVERSE TO THE POSITION OF THE DEFENSE, SUCH MATERIAL WOULD NEVER BE DISCLOSED, WHEREAS IF A PSYCHIATRIST WAS RETAINED BY THE GOVERNMENT AND CAME TO CONCLUSIONS FAVORABLE TO THE DEFENSE, SUCH MATERIAL WOULD BE DISCLOSED. HE INDICATED HE VIEWED HIS ROLE AS SEARCHING FOR THE TRUTH IN A PARTICULAR CASE, AND FELT THAT WORKING FOR THE GOVERNMENT WAS GENERALLY MORE CONSISTENT WITH THIS ROLE FOR THE REASONS OUTLINED ABOVE.

DR. FORT LISTED AT SOME LENGTH THE EXTENSIVE MATERIALS HE HAD EXAMINED AND RELIED UPON IN REACHING HIS CONCLUSIONS.

COURT WAS RECESSED SHORTLY AFTER 4:00 P.M., MARCH 5, 1976 UNTIL MONDAY MORNING, MARCH 8, 1976 AT 10:00 A.M.
END.

cc -

FBI

Date: 3/8/76

Transmit the following in _____

(Type in plaintext or code)

Via _____

AIRTEL

(Precedence)

TO: DIRECTOR, FBI (7-15200)

FROM: ADIC, NEW YORK (7-1976)

SUBJECT: HEARNAP
(OO: SF)

ReNYtel to Bu, 2/20/76, and NYairtel to Bu, 2/24/76

Enclosed for the Bureau, Philadelphia, and San Francisco are two sets each of 9 photographs of the farmhouse on Creamery Road, Jeffersonville, New York, which is believed to have housed HEARNAP fugitives and JACK and MICK SCOTT in July-August, 1974.

Above being furnished for information.

EX-115
REC-78

ENCLOSURE

- 2 - Bureau (Enc. 2) (RM)
- 3 - Philadelphia (Enc. 2) (RM)
- 3 - San Francisco (7-855) (Enc. 2) (RM)
- 1 - New York (100-157962)
- 2 - New York

T. L. Kmm

7-15200-7639
23 MAR 10 1976

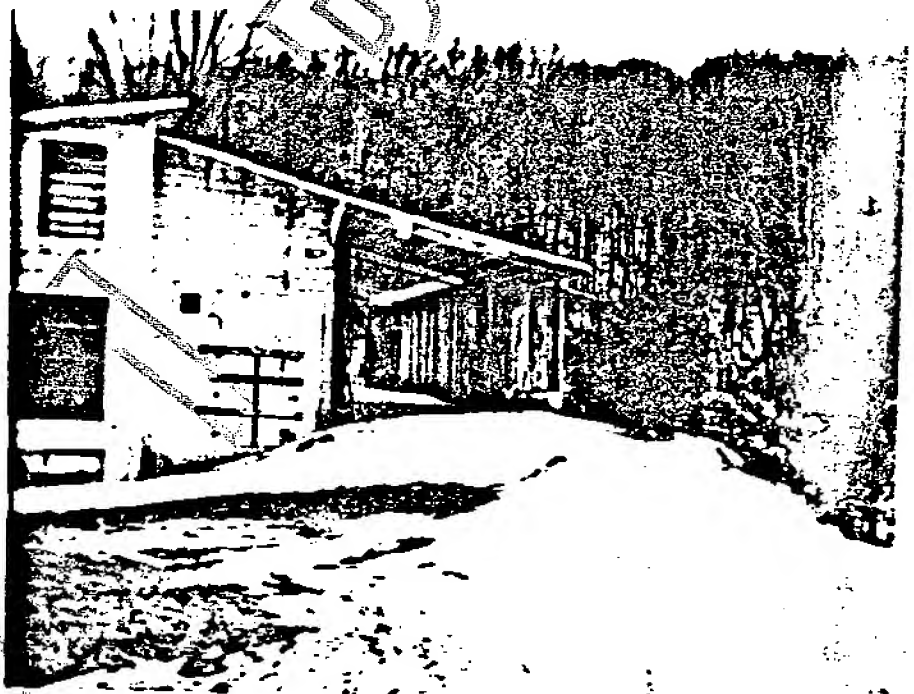
Approved: _____

84 MAR 22 1976

Special Agent in Charge

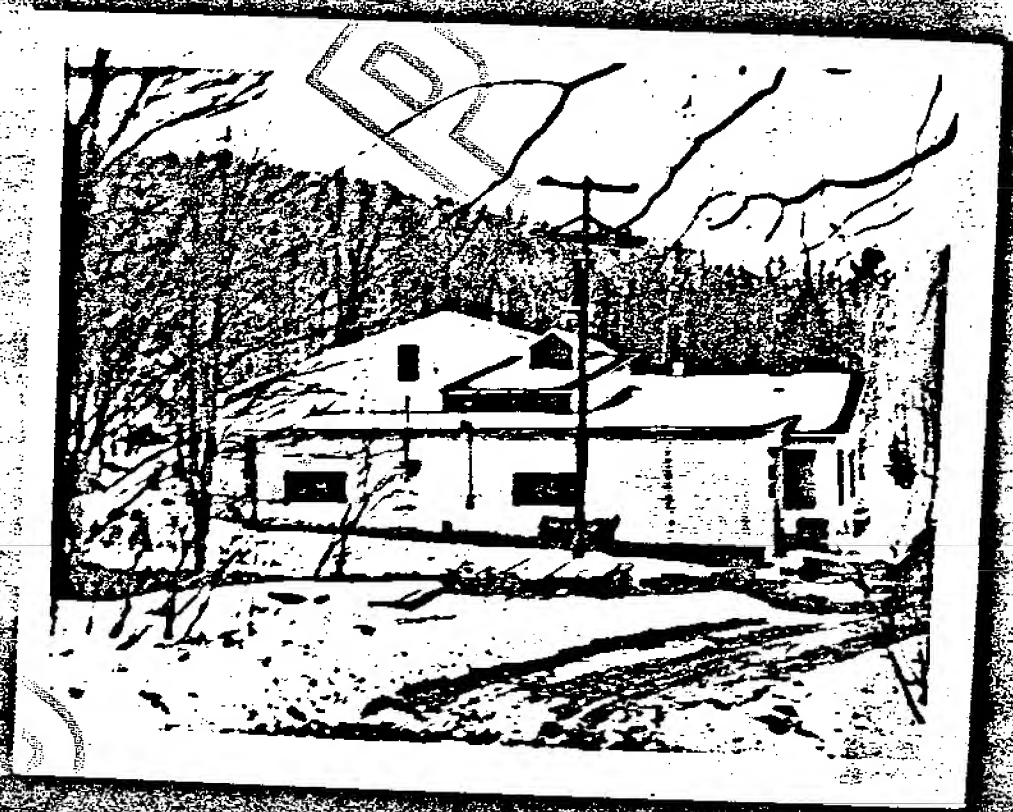
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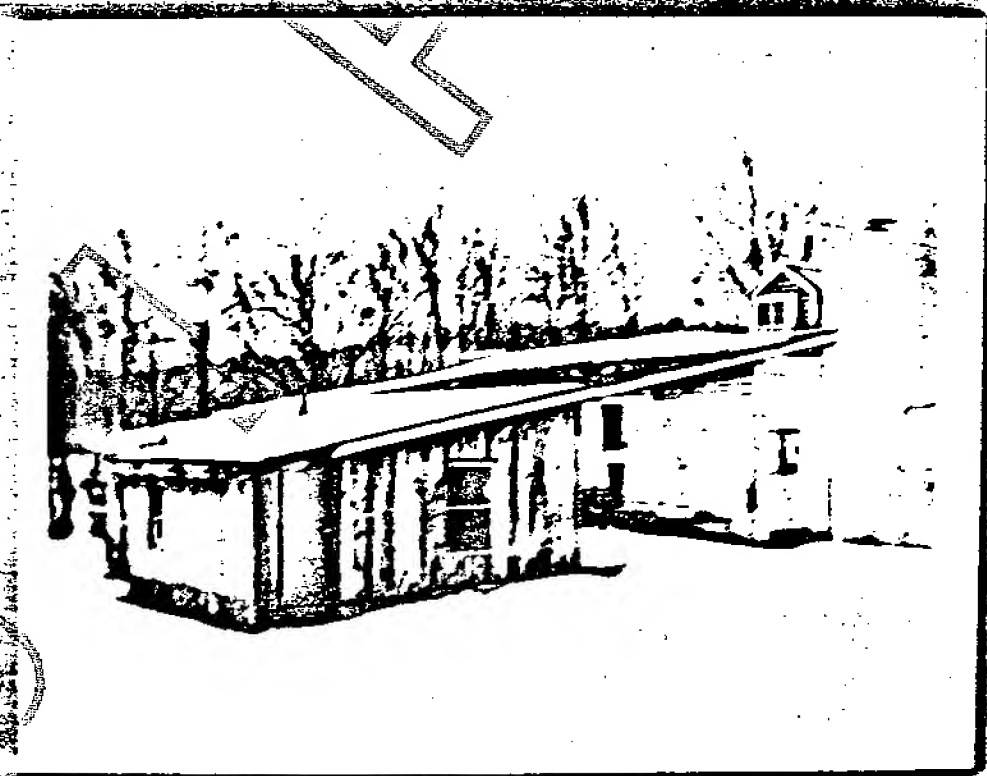
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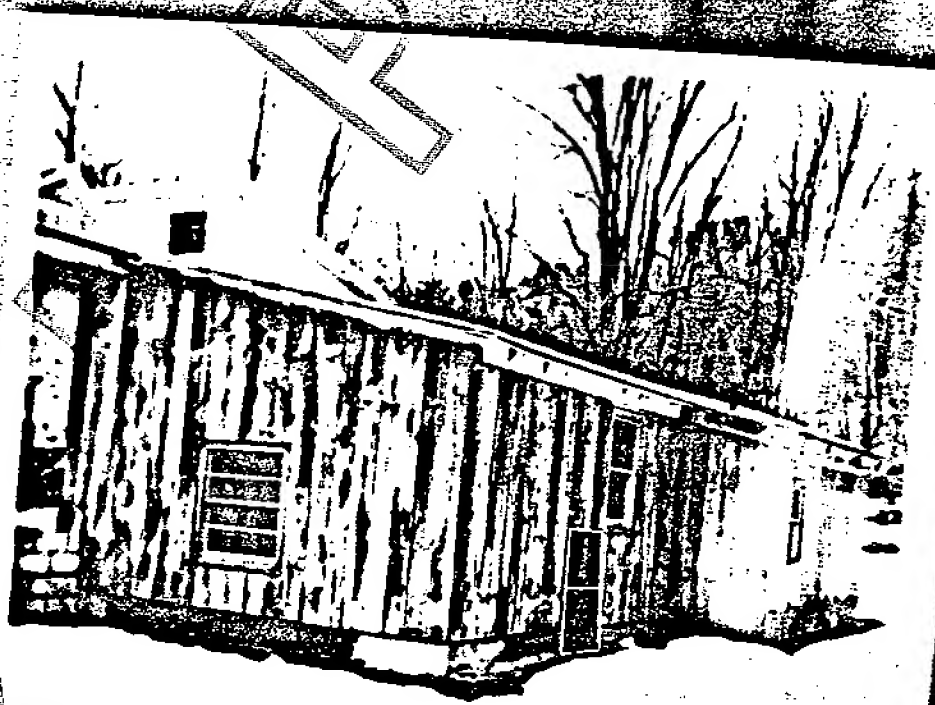


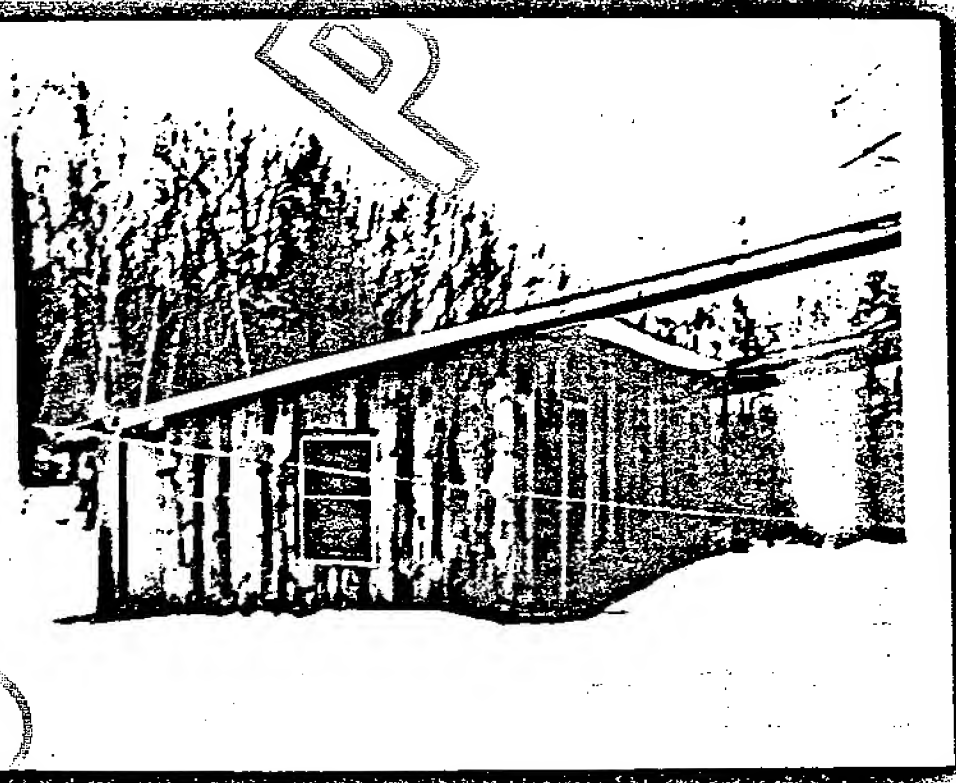
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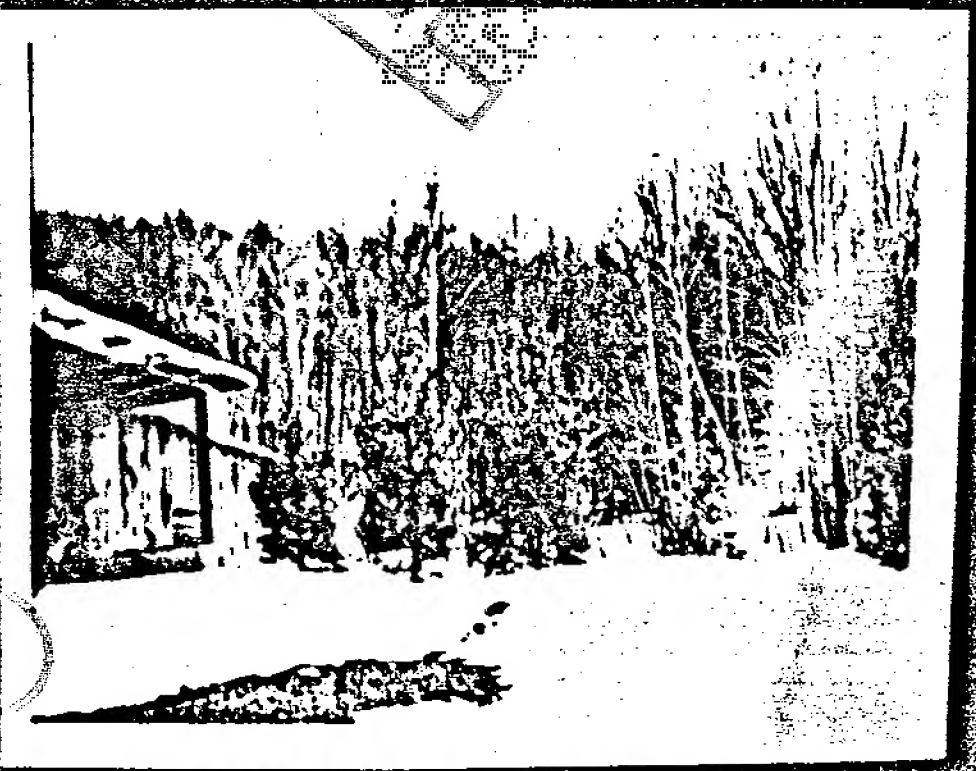


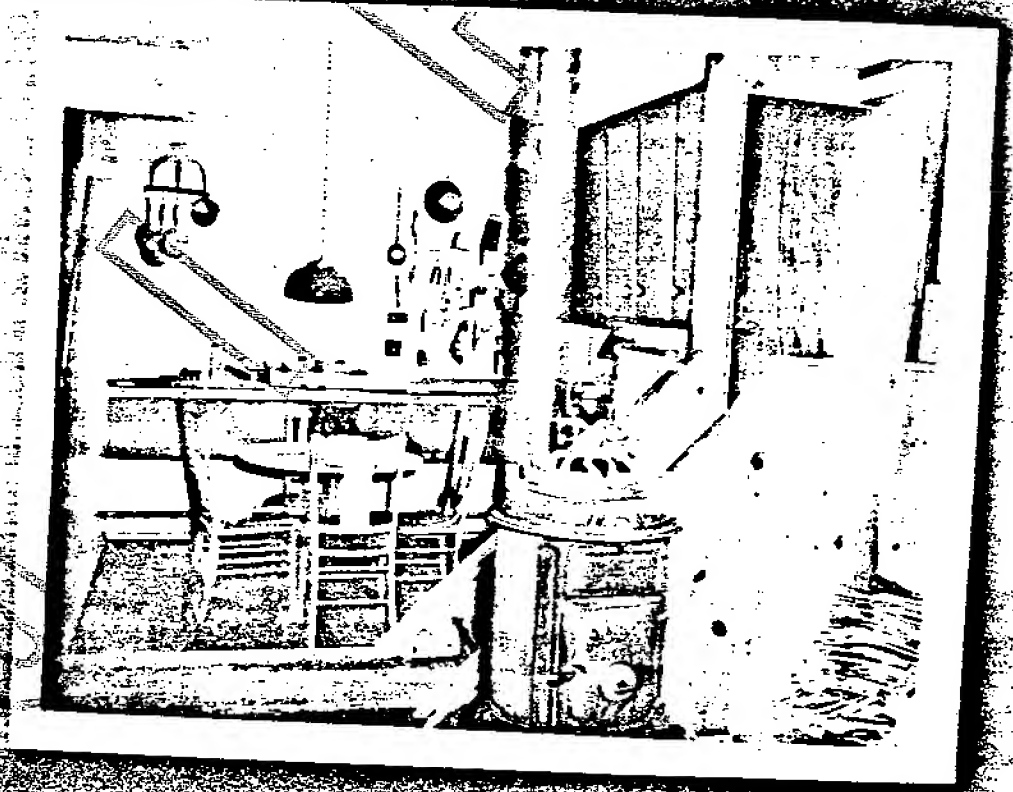


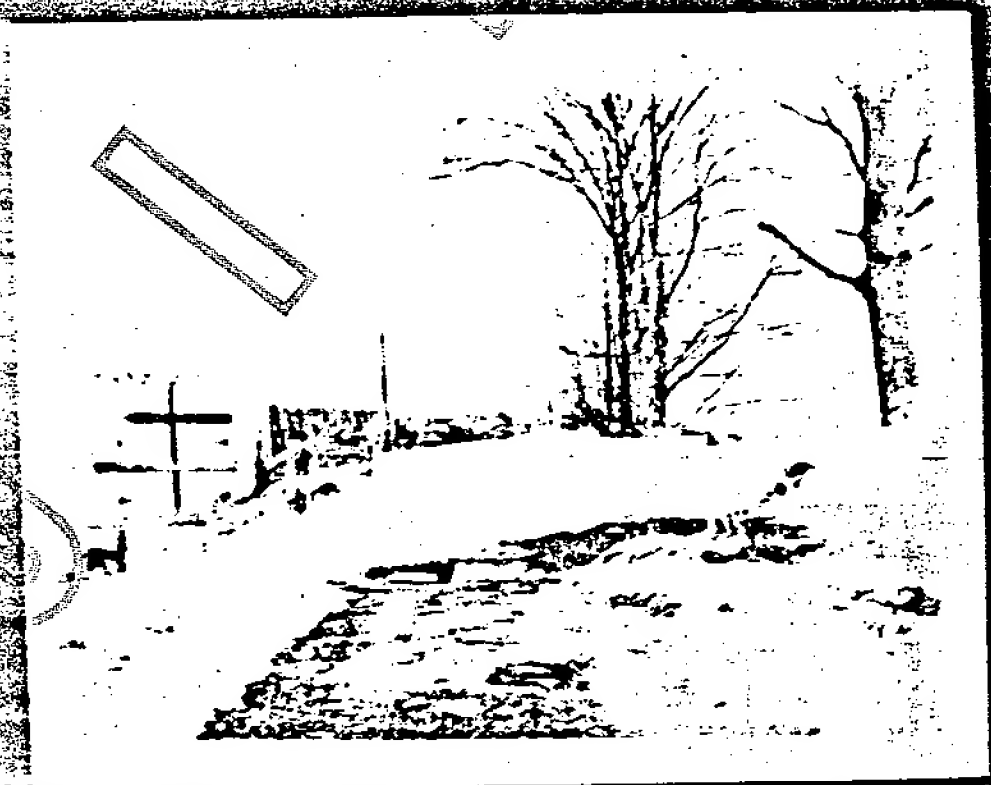












GENERAL INVESTIGATIVE DIVISION

KIDNAP

This concerns the ongoing trial of Patricia Campbell Hearst in San Francisco, California, on 3/8/76.

Attached advises Judge Carter ruled that Doctor Joel Fort (prosecution witness who is criminologist and physician) would be allowed to testify on issue of coercion. Doctor Fort testified that Hearst, from his examination of all materials available, had voluntarily participated in the bank robbery as a member of the SLA. Doctor Fort developed comparison with religious converts finding, as Miss Hearst did in the SLA, a new meaning and significance to their lives. He examined Hearst's pre-kidnap personality and characterized her as independent, strong-willed, rebellious, and intelligent but not intellectually inclined. He mentioned her rebellion at school and the fact that she was sexually active at age 15. Her relationship with Steven Weed was one of growing dissatisfaction and recounts Hearst's thoughts about suicide when she was faced with her commitment toward which she did not want to do. Hearst told Fort regarding her sexual contact with members of SLA that she agreed to have sex "because it would save my life." Hearst did not tell Fort that she had been raped.

Doctor Fort's study of the background of SLA members led him to conclusion that they were not sufficiently skilled, trained, or knowledgeable to utilize attitude change or coercive persuasion. Doctor Fort testified that Hearst's persuasion to the position of SLA soldier was similar to experience of converts to "hippiedom."

On cross examination, F. Lee Bailey (defense counsel) pointed out that Doctor Fort had not completed graduate work in psychology and that he was not a professor (full) of University of California although he lectured there. Bailey asked Fort about his World Health Organization 16 patient study on mind altering drugs and jails, prisons and mental hospitals expressing skepticism that such a study could be completed in only a few months.

Bailey questioned Doctor Fort regarding a press release he had made recently concerning a "frame of reference on expert testimony." Doctor Fort admitted drawing up a compilation of his concern regarding extensive media coverage which he provided to Newsweek and ten or fifteen other news persons. Bailey read Fort's "news release" before the jury over the objection by the prosecution.

Trial to be resumed at 10:00 a.m., 3/9/76.

1 - Mr. Callahan
1 - Mr. Adams
1 - Mr. Leavitt

1 - Mr. Mintz *En*
1 - Mr. Moore

JEO/C/KUN

TFM:erg

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NR 026 SF CODE

MAR 9 1976

11:55 PM NITEL 3/8/76-RRH

TELETYPE

TO: DIRECTOR, FBI

SAC, LOS ANGELES

FROM: SAC, SAN FRANCISCO (7-855)

ATTN: INTD AND GID

HEARNAP

RE: TRIAL OF PATRICIA HEARST, MARCH 8, 1976.

JUDGE CARTER RULED THIS MORNING THAT DOCTOR FORT WOULD
BE ALLOWED TO TESTIFY ON THE ISSUE OF ~~COERCION~~ ^{COERCION}. HE INDICATED
THAT DEFENSE WITNESSES HAD TESTIFIED SIMILARLY AFTER A
GOVERNMENT OBJECTION AND THEREFORE THE PROSECUTION WAS TO
BE ALLOWED TO ELICIT SUCH TESTIMONY.

FORT TESTIFIED THAT HEARST, FROM HIS EXAMINATION OF
ALL THE MATERIALS AVAILABLE, HAD VOLUNTARILY PARTICIPATED
IN THE BANK ROBBERY AS A MEMBER OF THE SLA.

HE OUTLINED THE RESULTS OF THE ZUMBARGO EXPERIMENT,
WHEREIN STUDENTS WERE ASSIGNED ROLLS OF GUARDS AND PRISONERS
AND OVER A PERIOD OF TIME ASSUMED THOSE CHARACTERISTICS
WHICH THEY THOUGHT TYPICAL OF THE PARTICULAR ROLLS, BASED
ON PRE-CONCEPTION AND PEER PRESSURE. DOCTOR FORT FELT
THESE STUDIES EXTREMELY SIGNIFICANT IN THIS CASE, SHOWING

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THE STRONG INCLINATION IN HUMAN BEINGS TOWARD SOCIAL CONFORMITY AND OBEDIENCE. HE INDICATED THAT THESE MOTIVATIONS, SHORT OF LEGAL ^{COERCION} ~~COERCION~~ ACTED TO INDUCE HEARST TO HER PARTICIPATION IN THE ROBBERY.

HE DEVELOPED COMPARISON WITH RELIGIOUS CONVERTS, FINDING, AS MISS HEARST DID IN THE SLA, A NEW MEANING AND SIGNIFICANCE TO THEIR LIVES. HE POINTED OUT HOW CERTAIN PARTICIPANTS IN SOCIAL CHANGE, SUCH AS OTHERS WHO ADOPTED A HIPPIE LIFE STYLE OFTEN DO SO OUT OF PERSONAL ADMIRATION AND AFFECTION FOR INDIVIDUALS THAT THEY ARE ACQUAINTED WITH WHO HAVE ADOPTED SUCH A LIFE STYLE.

HE EXAMINED HEARST'S PRE-KIDNAP PERSONALITY AND CHARACTERIZED HER AS AN ^{INDEPENDENT} ~~INDEPENDANT~~, STRONG-WILLED, REBELLIOUS AND INTELLIGENT BUT NOT INTELLECTUALLY INCLINED PERSON. HE MENTIONED HER REBELLION AT SCHOOL, CONFLICT WITH NUNS OVER SUCH ISSUES AS LEAVING CAMPUS AND CURFEW. HE MENTIONED THAT SHE WAS SEXUALLY ACTIVE AT THE AGE 15 AND HAD ALWAYS HAD AN ^{INDEPENDENT} ~~INDEPENDANT~~ ATTITUDE TOWARD SEXUAL ACTIVITY.

HE INDICATED A CLOSE FRIEND OF HEARST, MIMI SWANTON, HAD CHARACTERIZED HEARST AS "EMULOUS", STATING THAT IF SHE DID NOT AGREE WITH A LAW SHE WOULD IGNORE IT. SWANTON HAD STATED THAT HEARST WOULD LIE IF NECESSARY TO GET OUT OF TROUBLE AND HAD TOLD FORT OF A SITUATION IN SCHOOL WHERE PATTY, TO AVOID TAKING AN EXAMINATION, HAD TOLD A TEACHER THAT HER MOTHER HAD CANCER. SHE SAID TO SWANTON, "NOBODY WOULD EVER CHECK OUT ANYTHING LIKE THAT." FORT CHARACTERIZED HEARST'S RELATIONSHIP WITH HER PARENTS PRIOR TO HER KIDNAPPING AS ONE OF POOR COMMUNICATION, AND AMBIVALENT FEELINGS, DISLIKE, RANGING TO HATRED, NO SHARING OF VALUES, AND A DESIRE TO DISASSOCIATE HERSELF FROM THE NAME AND ROLL OF THE HEARST FAMILY. HEARST HAD MIXED ATTITUDES TOWARD RACES, RECOUNTING A POSITIVE EXPERIENCE WITH BLACK CHILDREN WHEN IN SCHOOL AT SEASIDE. WITH REGARD TO HER SOCIAL CLASS, SHE SOMETIMES ENJOYED THE ^{PRIVILEGES,} ~~PRIVILEGES,~~ BUT REFUSED TO PARTICIPATE IN SUCH ACTIVITIES AS THE DEBUTANT COTILLION AND DID NOT ASSOCIATE WITH THE HILLSBOROUGH SET.

HER RELATIONSHIP WITH STEVEN WEED WAS ONE OF GROWING

DISSATISFACTION. SHE THOUGHT WEED WAS TOO CONCERNED WITH POSSESSIONS AND HIS ATTITUDE TOWARDS HER AS A WOMAN WERE UNACCEPTABLE, EXPECTING HER TO WAIT ON HIM AND PROVIDE UNILATERAL SEXUAL AVAILABILITY. FORT RECOUNTS HEARST'S THOUGHTS ABOUT SUICIDE WHEN FACED WITH HER COMMITMENT TO WED, WHICH SHE DID NOT WANT TO DO.

FORT INDICATED THAT HE FELT CERTAIN MATERIALS IN THE CONCORD HOUSE OF THE SLA WERE SIGNIFICANT, SPECIFICALLY, THE SLA CODE OF WAR, WHICH FORBADE; 1) KILLING A COMRADE; 2) SURRENDER TO THE ENEMY (SIGNIFICANT RE LA SHOOTOUT); 3) SEXUAL ASSAULT ON COMRADES, THE PEOPLE, OR THE ENEMY. ANOTHER ASPECT OF THE CODE OF WAR HE FELT WAS SIGNIFICANT WAS THAT IF A COMRADE LOST FAITH, HE OR SHE WOULD BE RELEASED IN A SAFE AREA. THE CODES OF WAR ALSO PROVIDED FOR HUMANE TREATMENT OF PRISONERS OF WAR.

FORT CONTRASTED HEARST'S PERIOD OF TIME IN THE CLOSET WHERE SHE HAD A RADIO PLAYING WITH NEWS AND MUSIC, WHERE SHE WAS PROVIDED WITH FOOD AND BEVERAGES, WHERE SHE WAS PROVIDED WITH LIMITED HUMAN CONTACT, WHERE SHE HAD A FOAM

MATTRESS, PILLOW AND BLANKET TO SLEEP ON, AND WHERE SHE WAS PROVIDED WITH A READING LIGHT AND READING MATERIALS, WITH THE EXPERIENCES OF PRISONERS OF WAR WHO WERE SUBJECTED TO FORCED MARCHES OF 50 TO 100 MILES, PROGRESSIVE STARVATION, ISOLATION THOUSANDS OF MILES FROM HOME SURROUNDED BY PEOPLE OF A DIFFERENT CULTURE, SUBJECTED TO SLEEP DEPRIVATION, AND OTHER HARDSHIPS. HE ALSO CONTRASTED HEARST'S EXPERIENCE WITH THE EXPERIENCES OF PERSONS IN CONCENTRATION CAMPS WHERE PERSONS WERE FORCED FROM THEIR HOMES AT NIGHT, HERDED ONTO CATTLE CARS, IN EXTREME OVERCROWDED CONDITIONS, AND THEN DRIVEN OUT OF THE CATTLE CARS WITH WHIPS AND DOGS, STRIPPED AND FURNISHED WITH EXTREMELY MEAGER RATIONS. HE ALSO DISCUSSED THE TERRIFYING EXPERIENCE OF CONCENTRATION CAMP VICTIMS BEING CONSTANTLY SUBJECTED TO THE SMELL OF BURNING FLESH AND ANTICIPATION OF EMINENT DEATH.

REGARDING HER SEXUAL CONTACT WITH MEMBERS OF THE SLA, HEARST TOLD FORT THAT THE SUBJECT WAS BROUGHT UP AS TO WHETHER OR NOT SHE WOULD LIKE TO HAVE SEX WITH WILLIE WOLFE. SHE TOLD FORT SHE AGREED "BECAUSE IT WOULD HELP SAVE MY LIFE".

SHE DID NOT TELL FORT THAT WOLFE HAD FORCED HIMSELF UPON HER AND SHE NEVER INDICATED THAT SHE HAD BEEN RAPED. SHE INDICATED TO FORT THAT DE FREEZE HAD ONCE ASKED HER AND SHE HAD HAD INTERCOURSE WITH HIM WITHOUT AFFECTION. SHE HAD NEVER INDICATED THAT INTERCOURSE TOOK PLACE IN THE CLOSET.

AFTER THE NOON RECESS, DIRECT EXAMINATION CONTINUED. FORT ACKNOWLEDGED THAT HEARST'S ATTITUDE WAS GENERALLY COOPERATIVE BUT THAT ON A NUMBER OF POINTS SHE WOULD NOT TALK TO FORT AND ABOUT SOME SHE CONSULTED HER ATTORNEY BEFORE TALKING TO FORT. SHE REFUSED TO TALK ABOUT THE TANIA INTERVIEW, THE SLA TAPES AND THE EVENTS FROM MAY 17, 1974 TO HER CAPTURE.

REGARDING OTHER SLA MEMBERS, SHE STATED, "I CAN'T BELIEVE THAT I LIKED THEM", INDICATING TO FORT THAT AT LEAST AT ONE TIME SHE HAD AFFECTION FOR THE SLA MEMBERS IN GENERAL. SHE SPOKE OF ATTENTION AND FRIENDLY CONVERSATION INCLUDING INTEREST IN HER HEALTH AND WELFARE ON THE PART OF ANGELA ATWOOD, NANCY LING PERRY AND WILLIE WOLFE. SHE REFERRED TO THE HARRISES AS A AND B AND WOULD NOT MENTION

THEIR TRUE NAMES. SHE INDICATED THAT SHE HAD FELT MORE
FEARFUL OF PATRICIA ~~SOLTYSIK~~ ^{SOLTYSIK}, CAMILLA HALL, DE FREEZE AND
A AND B. SHE STATED ^{TO} ~~THE~~ FORT THAT SHE WAS IMPRESSED WITH
THE WILLINGNESS OF THE SLA TO DIE FOR A CAUSE. THIS
CORRESPONDED STRONGLY WITH HEARST'S SEARCHING FOR A
~~COMMITMENT.~~ ^{COMMITMENT.} THE SLA PROVIDED HER WITH AN EXCITING AND
ADVENTUROUS LIFE OF SIGNIFICANCE.

HIS STUDY OF THE BACKGROUND OF THE SLA MEMBERS LED
FORT TO THE CONCLUSION THAT THEY WERE NOT SUFFICIENTLY
SKILLED, TRAINED OR KNOWLEDGEABLE TO UTILIZE ATTITUDE CHANGE
^{COERCIVE}
OR ~~COERCIVE~~ PERSUASION.

FORT TESTIFIED THAT HEARST'S PURSUASION TO THE POSITION
OF AN SLA SOLDIER WAS NOT THE RESULT OF ^{COERCIVE} ~~COERCIVE~~ PURSUASION
OR THOUGHT PREFORM, BUT WAS SIMILAR TO THE EXPERIENCE OF
CONVERTS TO "HIPPIEDOM" OR EXOTIC RELIGIOUS CONVERTS IN
THAT SHE, A STRONG WILLFULL PERSON, WAS MISSING A SENSE
OF MEANING OR PURPOSE TO HER LIFE. THIS IS SHOWN BY THE
SLA AS HEARST BECAME IMPRESSED BY THEIR ^{COMMITMENT.} ~~COMMITMENT.~~ FORT
EXAMINED THE PERIOD OF MISS HEARST'S POST KIDNAPPING

EXPERIENCE AND FOUND NO INDICATION OF MENTAL DISEASE OR DEFECT.

FORT REVIEWED IN DETAIL THE EVENTS DETERMINING TO SHOW HEARST'S VOLUNTARY AND ^{WILLFUL} ~~WILLFUL~~ CONVERSION TO THE GOALS OF THE SLA AND THE GRADUAL REJECTION OF THE VIOLENCE OF THE SLA WHEN SHE AND YOSHIMURA MOVED AWAY FROM THE HARRISES.

FORT COMPARED HEARST'S REACTION UPON CONFRONTATION WITH THE FBI AT THE TIME OF HER ARREST WITH THE REACTIONS OF RECENTLY RELEASED PRISONERS OF WAR, WHO WERE USUALLY VERY EAGER TO BE FREE AND WITH THE RESPONSES OF KIDNAP VICTIMS WHO WOULD COOPERATE WITH CAPTORS TO STAY ALIVE BUT NEVER CHANGE THEIR ^{IDEOLOGY} ~~IDEOLOGY~~.

ON CROSS EXAMINATION, BAILEY POINTED OUT THAT FORT HAD NOT COMPLETED ANY GRADUATE WORK IN PSYCHOLOGY. HE HAD FORT ACKNOWLEDGE THAT HE WAS NOT A PROFESSOR AT THE UNIVERSITY OF CALIFORNIA, BUT FORT EXPLAINED THAT HE LECTURED THERE ONLY PART TIME AND ONLY FULL TIME TEACHERS COULD BE PROFESSORS. HE ASKED FORT ABOUT HIS WORLD HEALTH ORGANIZATION 16 PATIENT STUDY ON MIND ALTERING

DRUGS AND JAILS, PRISONS AND MENTAL HOSPITALS. BAILEY EXPRESSED SKEPTICISM THAT SUCH A STUDY COULD BE CONDUCTED IN A THOROUGH AND MEANINGFUL MANNER IN ONLY A FEW MONTHS AND FORT EXPLAINED THAT HE HAD WORKED 18 HOURS, 7 DAYS A WEEK IN CONDUCTING THIS STUDY. FORT THEN OUTLINED IN RESPONSE TO BAILEY'S QUESTIONING THE WAY IN WHICH HE HAD SERVED AS A CONSULTANT FOR THAILAND, CANADA AND AUSTRALIA.

BAILEY ASKED FORT IF THERE CAME A TIME WHEN HE FEARED THAT HIS TESTIMONY MIGHT NEVER BE HEARD. FORT ANSWERED NO, THE DIRECT OPPOSITE WAS TRUE AND HE HOPED THAT HE WOULD NOT BE PLACED IN A POSITION WHERE HE WOULD HAVE TO TESTIFY.

BAILEY QUESTIONED FORT REGARDING A PRESS RELEASE HE HAD MADE RECENTLY. FORT EXPLAINED THAT HE HAD A REQUEST FROM NEWSWEEK FOR A FRAME OF REFERENCE ON EXPERT TESTIMONY. HE HAD DRAWN UP A COMPILATION OF HIS CONCERN REGARDING EXTENSIVE MEDIA ^{COVERAGE} ~~COVERAGE~~ AND HAD PROVIDED IT TO NEWSWEEK AND TEN OR FIFTEEN OTHER NEWS PERSONS IN RESPONSE TO INQUIRIES THEY HAD MADE. BAILEY ASKED IF FORT EXPECTED THAT IT WOULD BE PUBLISHED, AND FORT INDICATED THAT NO, HE HAD ELICITED

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FROM NEWSWEEK AN AGREEMENT THAT THEY WOULD NOT USE FORT'S NAME OR PHOTOGRAPH AND WOULD NOT "DIRECTLY FROM THE MATERIALS HE HAD FURNISHED". BAILEY ASKED FORT IF HE HAD OBTAINED SUCH AN AGREEMENT FROM THE OTHER TEN TO FIFTEEN NEWS PERSONS TO WHOM HE FURNISHED THESE MATERIALS. FORT INDICATED THAT UNLIKE BAILEY, HE DOES NOT CHOOSE TO HAVE DIRECT INTERVIEWS WITH THE MEDIA. CARTER STRUCK FORT'S ANSWER AS BEING ARGUMENTATIVE. ~~ARGUMENTATIVE~~ BAILEY THEN READ FORT'S "NEWS RELEASE" BEFORE THE JURY OVER OBJECTION BY THE PROSECUTION. HE REFUSED, HOWEVER, TO LET THE PROSECUTION PLAY THE TOBIN JAIL TAPE.

TRIAL WAS RECESSED SHORTLY AFTER 4 P.M. TO BE RESUMED 10 A.M., MARCH 9, 1976.
END.

March 10, 1976
GENERAL INVESTIGATIVE DIVISION
HEARNAP

This concerns the trial of Patricia Campbell Hearst in San Francisco, California, on 3/9/76.

F. Lee Bailey (defense attorney) continued his cross-examination of Doctor Joel Fort (criminologist and physician) regarding his past testimony that he (Fort) had been qualified and called in 270 cases over the last 17 years. Bailey cross-examined Fort regarding the fees he expected to receive from the Government. Fort testified that he had "saved" Lenny Bruce from jail stating that Lenny Bruce was not a drug addict at the time Fort had examined him. Bailey attempted to discredit Fort by showing that Bruce was subsequently sentenced to ten years in prison.

Jury was excused so that arguments could be heard regarding motion to quash subpoena of Herrick Hospital records where Doctor Fort served as resident 19 years ago. Judge Carter denied admission concurring they were too remote in time to be significant. Judge Carter allowed Bailey to make an offer of proof for purpose of record and Bailey indicated such records showed allegations that Fort had "a scattered and sporadic interest in psychiatry," was an "excellent psychiatrist but lacking as a psychoanalyst," that "he attempts to manipulate the staff" and that he was "insensitive to needs of patients."

U. S. Attorney Browning pointed out numerous laudatory and commendatory entries and the fact that Fort enjoyed three years at Merrick Hospital after his internship. Bailey cross examined Fort regarding tape of lecture entitled "Minds on Trial" wherein Fort was extremely critical of American judicial system.

Bailey asked Fort if he had been dropped from the American Psychiatric Association and the Northern California Psychiatric Association. Fort stated he voluntarily left both associations.

Fort testified that he was never fired by the World Health Organization and United Nations. Fort admitted being fired by San Francisco County because his views were too independent from those of the police and other health officials. Fort admitted telling the Hearst Family that some disadvantages and injuries might accrue to the defendant because of a public trial and that every possibility of avoiding a public trial should be explored. Fort was asked if he told Mrs. Hearst that she should consult a third party because Bailey wants publicity and Browning wants a judgeship. Fort indicated that he had not so stated to Mrs. Hearst and said that Mrs. Hearst herself may have said something to that effect.

Trial to reconvene at 10:00 a.m., 3/10/76.

1 - Mr. Callahan 1 - Mr. Mintz
1 - Mr. Adams 1 - Mr. Moore Ea
1 - Mr. Leavitt

TFM:erg
TFM

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SF NR 956

MAR 10 1976

NR 024 SF CODE

TELETYPE

11:50PM NITEL MARCH 9, 1976, MJE

TO: DIRECTOR, FBI

SAC, LOS ANGELES

VIA FBI HQ

FROM: SAC, SAN FRANCISCO (7-355)

ATTN: INTD AND GID

HEARNAP

RE: TRIAL OF PATRICIA HEARST, MARCH 9, 1976.

BAILEY CONTINUED CROSS EXAMINATION OF DOCTOR JOEL FORT, QUESTIONING HIM REGARDING PAST TESTIMONY THAT HE HAD BEEN QUALIFIED AND CALLED IN APPROXIMATELY 270 CASES OVER THE LAST 17 YEARS.

BAILEY READ FROM NOTES ELUDING TO A TRANSCRIPT FROM A MASSACHUSETTS MARIJUANA TEST CASE AND ASKED IF FORT HAD TESTIFIED IN THAT CASE IN 1968. FORT ANSWERED NO, AND AFTER SEVERAL MOMENTS OF SILENCE, STATED, "IT WAS 1967". BAILEY INDICATED THAT FORT HAD TESTIFIED AND THAT HE HAD AT THAT TIME TESTIFIED IN TEN CRIMINAL CASES. FORT STATED THAT IF BAILEY'S NOTES ACCURATELY REFLECTED THE TRANSCRIPT, THEN THE TRANSCRIPT OR HIS TESTIMONY WAS IN ERROR. FORT STATED THAT IT WAS MORE LIKELY THAT HE STATED AT THAT TIME THAT HE HAD TESTIFIED IN TEN MARIJUANA CASES.

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FORT WAS CROSS EXAMINED REGARDING HIS PARTICIPATION IN STRATEGY SESSIONS REGARDING CRIMINAL CASES AS CONTRASTED WITH HIS GENERAL DENUNCIATION OF THE ADVESARY SYSTEM. FORT STATED THAT HE DID PARTICIPATE IN STRATEGY SESSIONS IN THE BROAD SENSE, SUCH AS WHETHER OR NOT THE ATTORNEY SHOULD CALL PARTICULAR EXPERTS, WHETHER OR NOT EXPERT TESTIMONY IS APPROPRIATE IN PARTICULAR CASES, AND WHETHER CERTAIN AVENUES SHOULD BE EXPLORED IN INVESTIGATION.

FORT WAS CROSS EXAMINED REGARDING THE FEES THAT HE EXPECTED TO RECEIVE FROM THE GOVERNMENT AND INDICATED THAT HE HAD BEEN TOLD BY BANCROFT THAT THE GOVERNMENT CAN NEVER PAY AS MUCH AS THE DEFENSE CAN, BEING LIMITED TO \$50 AN HOUR WITH A 160 HOUR MAXIMUM FOR PARTICULAR CASES. FORT INDICATED THAT THIS 160 MAXIMUM HAD BEEN EXTENDED TO 150 HOURS, BUT THAT HE HAD FAR EXCEEDED THAT MAXIMUM, WORKING NUMEROUS HOURS FOR WHICH HE KNEW HE WOULD NOT BE PAID BECAUSE HE FELT IT WAS NECESSARY IN THE INTEREST OF JUSTICE.

JUST PRIOR TO THE MORNING RECESS, FORT, IN RESPONSE TO BAILEY'S QUESTIONS CONCERNING AN OUTLINE WRITTEN BY AN

INDIVIDUAL ATTEMPTING TO ASSIST FORT IN SELLING A BOOK TO A PUBLISHING COMPANY, EXPLORED THE ROLE AND LIMITATIONS OF EXPERT TESTIMONY, DRAWING DISTINCTIONS BETWEEN HIS APPROACH, WHICH INCLUDED EXAMINATIONS OF ALL OBJECTIVE MATERIAL, AS WELL AS INTERVIEWS OF SUBJECTS AS CONTRASTED WITH THE "IVORY TOWER" APPROACH OF OTHER PSYCHIATRISTS WHO REGARD DEFENDANTS AS PATIENTS AND RELY HEAVILY ON INFORMATION FURNISHED BY THE SUBJECTS.

WHEN TRIAL RESUMED, FORT ACKNOWLEDGED A PAST ACQUAINTANCE WITH LENNY BRUCE, DECLINING TO CLAIM FRIENDSHIP WITH HIM. HE INDICATED THAT HE HAD TESTIFIED IN A CASE INVOLVING BRUCE AND HIS TESTIMONY HAD BEEN BENEFICIAL TO BRUCE. HE DENIED EVER ATTENDING A PARTY AT BRUCE'S HOUSE, STATING THAT HE HAD NEVER BEEN TO BRUCE'S HOUSE AND HAD NO IDEA WHERE HE HAD LIVED. BAILEY, READING FROM THE ABOVE OUTLINE, ASKED FORT IF HE HAD "SAVED" BRUCE FROM JAIL AS A RESULT OF HIS TESTIMONY. FORT ACKNOWLEDGED THAT HE HAD. FORT INDICATED THAT HE HAD TESTIFIED THAT LENNY BRUCE WAS NOT A DRUG ADDICT AT THE TIME FORT HAD EXAMINED HIM. BAILEY ATTEMPTED TO

DISCREDIT FORT BY SHOWING THAT BRUCE HAD SUBSEQUENTLY BEEN SENTENCED TO TEN YEARS PRISON. FORT THEN POINTED OUT THAT SUCH SENTENCE MUST HAVE ^{OCCURRED} ~~OCCURRED~~ IN A PROCEEDING DIFFERENT THAN THE ONE HE TESTIFIED IN, BECAUSE HE HAD TESTIFIED IN A CIVIL COMMITMENT HEARING REGARDING WHETHER BRUCE SHOULD BE COMMITTED TO THE CALIFORNIA REHABILITATION CENTER AT CORONA AND THE MAXIMUM SENTENCE FOR SUCH COMMITMENT WAS IN THE NEIGHBORHOOD OF FIVE YEARS. FORT POINTED OUT THAT HE DID NOT "HANG AROUND" THE PROCEEDINGS AFTER HE HAD TESTIFIED AND THEREFORE DID NOT FOLLOW WHAT SUBSEQUENT PROCEEDINGS MIGHT HAVE RESULTED IN THE SENTENCE TO WHICH BAILEY ELUDED, BUT INDICATED THAT BRUCE HAD NOT RECEIVED ANY SENTENCE IN THE PROCEEDINGS IN WHICH HE, FORT, WAS INVOLVED IN. BAILEY QUESTIONED FORT REGARDING HIS 1967 INVOLVEMENT IN A MARIJUANA LANDMARK CASE. FORT ACKNOWLEDGED THAT HE HAD HELPED PLAN STRATEGY IN THIS CASE IN THE SENSE THAT HE ADVISED THE DEFENSE AS TO WHAT KINDS OF EXPERT TESTIMONY TO SEEK. BAILEY ATTEMPTED TO ESTABLISH THAT FORT'S TESTIMONY HAD BEEN INEFFECTIVE, CONTRARY TO THE OUTLINE REFERRED TO EARLIER,

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BUT FORT POINTED OUT THAT ALTHOUGH THE CASE WAS LOST AND IN THE SHORT RUN THE JUDGE HAD RULED AGAINST CHANGE, HOWEVER, TRANSCRIPT OF HIS TESTIMONY WAS LATER USED BY LEGISLATURES IN REFORMING THE MASSACHUSETTS MARIJUANA LAW.

JUST PRIOR TO THE LUNCHEON RECESS, THE JURY WAS EXCUSED SO THAT ARGUMENTS COULD BE HEARD REGARDING A MOTION TO QUASH A SUBPOENA OF HERRICK HOSPITAL RECORDS, WHERE DOCTOR FORT SERVED AS A RESIDENT APPROXIMATELY 18 OR 19 YEARS AGO. BAILEY ALLEGED THAT THESE RECORDS CONTAINED INFORMATION CRITICAL OF DOCTOR FORT'S COMPETENCY AS A PSYCHIATRIST. BAILEY ALLEGED THEM TO BE RELEVANT TO SHOW THAT FORT'S DENUNCIATION OF TRADITIONAL PSYCHIATRIC TESTIMONY WAS ROOTED IN REACTION TO PAST ALLEGATIONS THAT HE WAS NOT A COMPETENT PSYCHIATRIST.

AFTER EXAMINING THE MATERIALS IN CAMERA DURING THE NOON RECESS, JUDGE CARTER DENIED THEIR ADMISSION, CONCURRING WITH GOVERNMENT ARGUMENT THAT THEY WERE TOO REMOTE IN TIME TO BE SIGNIFICANT. CARTER ALLOWED BAILEY TO MAKE AN OFFER OF PROOF FOR PURPOSE OF THE RECORD AND BAILEY INDICATED THAT

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SUCH RECORDS SHOWED ALLEGATIONS THAT FORT HAD "A SCATTERED AND SPORATIC INTEREST IN PSYCHIATRY", WAS AN "EXCELLENT PSYCHIATRIST BUT LACKING AS A ^{PSYCHOANALYST} ~~PSYCHOANALYST~~", THAT HE "ATTEMPTS MORE THAN HE CAN SUCCESSFULLY ACHIEVE", THAT "HE ATTEMPTS TO MANIPULATE THE STAFF" AND THAT HE WAS "INSENSITIVE TO NEEDS OF PATIENTS", AND HAS A "REACTION APPROACH AND FAILS TO SEE THE FOREST FROM THE TREES".

USA BROWNING, FOR PURPOSE OF THE RECORD, POINTED OUT THAT THERE WERE NUMEROUS LAUDATORY AND COMMENDATORY ENTRIES IN THE FILE WHICH FAR OUTWEIGHED THE OBSERVATIONS WHICH BAILEY REFERRED TO. BROWNING ALSO POINTED OUT THAT FORT HAD ENJOYED ^{PRIVILEGES} ~~PRIVILEGES~~ AT HERRICK HOSPITAL FOR SOME THREE YEARS AFTER HIS INTERNSHIP.

BAILEY THEN CROSS EXAMINED FORT REGARDING A TAPE WHICH FORT HAD MADE DURING A LECTURE IN A COURSE CALLED, "MINDS ON TRIAL", WHEREIN FORT WAS EXTREMELY CRITICAL OF THE AMERICAN JUDICIAL SYSTEM. FORT ACKNOWLEDGED THAT HE HAD ALLEGED THAT CORRECTIVE FACILITIES HAVE FAILED IN THEIR GOAL OF REHABILITATION, THAT BRIBERY, ^{COERCION} ~~COERCION~~ AND BLACKMAIL ARE PREVALENT

IN THE LOBBYING AND LEGISLATIVE SYSTEM. THAT THE PSYCHIATRIC COMMUNITY CONSIDERS ~~VIRTUALLY~~ ^{VIRTUALLY} EVERYONE MENTALLY ILL IN ONE MANNER OR THE OTHER, THAT WE SHOULD TRY TO COMMIT EGRANDIZEMENT OF PSYCHIATRY, THAT AMERICAN POLITICIANS PROVIDE ONE OF THE MOST WIDESPREAD EXAMPLES OF PSYCHOPATHY BY BEING EXPEDIENCY ORIENTED, THAT SERIOUS PROBLEMS HAVE ^{ARISEN} ~~ARISEN~~ FROM THE ADVISORY NATURE OF OUR JUSTICE SYSTEM, THAT JURIES ARE HIGHLY UNREPRESENTATIVE AND UNFAIR BECAUSE TOO MANY PEOPLE HAVE THEMSELVES EXCUSED FROM JURY DUTY AND THAT JUDGES ARE SELECTED FOR POLITICAL ^{SERVITUDE.} ~~SERVITUDE.~~ AFTER A LENGTHY CROSS EXAMINATION REGARDING FORT'S NEGATIVE COMMENTS ON THE AMERICAN JUDICIAL SYSTEM, BAILEY ASKED FORT IF THERE WAS ANYTHING IN HIS ^{FORTY} ~~FOURTY~~ MINUTE SPEECH WHICH WAS ^{COMPLIMENTARY} ~~COMPLEMENTARY~~ REGARDING THE SYSTEM.

FORT BEGAN TO ANSWER BUT USA BROWNING STOOD AND OBJECTED. BAILEY TURNED TO BROWNING AND ASKED, "MAY THE WITNESS ANSWER MY QUESTION?" BROWNING STATED, "NO, I WANTED TO PRESENT MY OBJECTION TO THE COURT, I BELIEVE THAT'S THE WAY OUR SYSTEM WORKS." THE AUDIENCE LAUGHED AND BROKE INTO SPONTANEOUS

APPLAUSE.

FORT WENT ON TO TESTIFY THAT THERE WERE THINGS HE VIEWED AS POSITIVE REGARDING THE AMERICAN LEGAL SYSTEM AND THOSE THINGS WERE EXPLORED DURING THE PANEL DISCUSSIONS AND QUESTION AND ANSWER PERIODS WHICH PRECEDED AND FOLLOWED HIS TAPED STATEMENT.

BAILEY ASKED IF FORT HAD BEEN DROPPED FROM THE AMERICAN PSYCHIATRIC ASSOCIATION, AND FORT STATED THAT HE HAD DROPPED OUT VOLUNTARILY, WRITING A LETTER TO PROTEST SOME OF THE PRACTICES AT THAT TIME, SUCH AS NOT PROVIDING ADEQUATE PSYCHIATRIC CARE FOR POOR PERSONS. HE INDICATED HE HAD NEVER RECEIVED ANY CRITICISM OF HIS PROFESSIONAL PERFORMANCE FROM THE AMERICAN PSYCHIATRIC ASSOCIATION AND HAD BEEN INVITED BY THEM TO SPEAK OR PARTICIPATE IN PANEL DISCUSSIONS ON SEVERAL OCCASIONS SUBSEQUENT TO THIS. BAILEY ASKED IF FORT HAD NOT IN FACT BEEN DROPPED FOR FAILURE TO PAY HIS DUES FOR FOUR YEARS, AND FORT ACKNOWLEDGED THAT WHEN HE WROTE THE PROTEST LETTER, VOLUNTARILY DISASSOCIATING HIMSELF FROM THE AMERICAN PSYCHIATRIC ASSOCIATION, HE HAD THEREUPON CEASED

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S. 7-

TO PAY DUES.

BAILEY ASKED FORT IF HE HAD BEEN DROPPED FROM THE NORTHERN CALIFORNIA PSYCHIATRIC ASSOCIATION AND FORT INDICATE HE HAD VOLUNTARILY LEFT THAT ASSOCIATION, POINTING OUT THAT HE HAD NOT BEEN ASKED TO LEAVE AND HAD NEVER RECEIVED ANY CRITICISM FROM THAT ASSOCIATION FOR HIS PROFESSIONAL CONDUCT.

BAILEY ASKED "WERE YOU FIRED FROM THE WORLD HEALTH ORGANIZATION?". FORT STATED, "MR. BAILEY, YOU'LL STOP AT NOTHING", WHICH THE JUDGE ORDERED STRICKENED. HE THEN TESTIFIED THAT HE WAS NEVER FIRED BY THE WORLD HEALTH ORGANIZATION. HE WAS SOUGHT OUT BY THEM IN 1963 AND WROTE A REPORT FOR THEM WHICH THEY COMMENDATED HIGHLY AND UTILIZED AS A GUIDE IN REFORMING SOME OF THEIR PROCEDURES. HIS PERFORMANCE FOR THE WORLD HEALTH ORGANIZATION WAS EVALUATED AS REGIMENTLY EXCELLENT.

BAILEY ASKED IF FORT HAD BEEN FIRED BY THE UN. FORT SAID NO, HE WORKED FOR THEM FOR 13 MONTHS AND THEY ASKED HIM TO STAY ON AND HE RECEIVED COMMENDATION FROM THEM FOR THE

WORK HE CONDUCTED.

FORT ACKNOWLEDGED THAT HE HAD BROUGHT A LAW SUIT IN THE WORLD COURT NOT IN HIS BEHALF, BUT TO SEEK EQUALITY FOR PEOPLE FROM OTHER COUNTRIES WHO WERE EMPLOYED BY THE UN. HE INDICATED THAT THIS SUIT HAD NO BEARING WHATSOEVER ON THE WORK HE HAD DONE FOR THE UN. HE POINTED OUT THAT HE HAD WON THIS SUIT.

BAILEY ASKED FORT IF HE HAD BEEN FIRED BY ALAMEDA COUNTY. FORT INDICATED HE HAD ORGANIZED AND ADMINISTERED AN ALCOHOLIC PROGRAM FOR THE COUNTY AND HAD RECEIVED CRITICISM, NOT FOR HIS PROFESSIONAL WORK, WHICH WAS AGREED TO BE OUTSTANDING, BUT FOR POLITICAL WORK WHICH HE PERFORMED ON HIS OWN TIME. FORT INDICATED HE EVENTUALLY TOOK THIS ISSUE TO THE CALIFORNIA SUPREME COURT WHICH RULED UNANIMOUSLY IN HIS FAVOR AND RESULTED IN NEW LAW ALLOWING 400,000 PUBLIC EMPLOYEES IN CALIFORNIA TO ENGAGE IN POLITICAL ACTIVITIES ON THEIR OWN TIME. BAILEY ASKED FORT IF HE WAS FIRED BY SAN FRANCISCO COUNTY. FORT INDICATED HE HAD FOUNDED A CENTER FOR SPECIAL PROBLEMS INCLUDING DRUG ABUSE AND

HOMOSEXUALITY DURING THE HAIGHT-ASHBURY ERA, AND HAD BEEN ASKED TO RESIGN BECAUSE HIS VIEWS WERE TOO ^{INDEPENDENT} ~~INDEPENDANT~~ FROM THOSE OF THE POLICE AND OTHER HEALTH OFFICIALS. FORT REFUSED TO RESIGN AND WAS FIRED. HE LOST AN APPEAL FOR THE CIVIL SERVICE COMMISSION BY A TWO TO ONE VOTE BUT RECEIVED A STRONG VOTE OF CONFIDENCE AND ENCOURAGEMENT FROM THE CITY BOARD OF SUPERVISORS. HE INDICATED THAT THERE WAS A STIPULATION ~~STIPULATION~~ IN ALL RECORDS OF THESE PROCEEDINGS THAT HIS PROFESSIONAL COMPETENCE HAS BEYOND REPROACH. BAILEY ASKED FORT IF HE HAD READ ANY BOOKS BY DOCTOR LIFTON, A DEFENSE PSYCHIATRIST. FORT INDICATED HE HAD READ PARTS OF LIFTON'S BOOK ON THOUGHT REFORM, LOOKING FOR INFORMATION DEALING WITH PERSONS OF THE AGE AND SEX OF THE VICTIM.

FORT INDICATED HE HAD ALWAYS FELT IN THE PAST THAT DOCTOR LIFTON WAS AN INTELLIGENT PERSON WHO WROTE WELL, BUT STATED THAT AS HE TALKED TO LIFTON IN THIS CASE TO SEE IF HE, DOCTOR FORT, WAS MISSING ANYTHING IN DEFENSE OF PATRICIA HEARST, OF WHICH DOCTOR LIFTON COULD INFORM HIM, HIS OPINION OF DOCTOR LIFTON CHANGED A BIT.

BAILEY ASKED IF THAT OPINION HAD CHANGED BECAUSE HE DISAGREED WITH DOCTOR LIFTON. FORT INDICATED THAT THAT WAS NOT SO, HE UNDERSTOOD THAT INTELLIGENT PERSONS COULD DISAGREE OVER COMPLEX ISSUES, BUT HE WANTED TO SEE HOW DOCTOR LIFTON APPROACHED THE CASE, WHETHER HE VIEWED ALL PERTINENT MATERIAL, WHETHER HE DEMONSTRATED OBJECTIVITY, AND WHETHER HE WAS INTERESTED IN MATERIAL WHICH MIGHT PROVE CONTRARY TO HIS PRELIMINARY CONCLUSION. HE INDICATED THAT HE FELT LIFTON WAS REMISS IN NOT EXAMINING SUCH EVIDENCE AS THE BANK ROBBERY FILM AND THE INVESTIGATIVE REPORTS OF THE FBI.

FORT POINTED OUT THAT HE HAD REFUSED TO HAVE ANY DISCUSSIONS REGARDING THE CASE WITH ANY CONSULTANTS RETAINED BY THE GOVERNMENT, BECAUSE HE WANTED TO BE UNBIASED IN PREPARING HIS REPORT, HOWEVER, HE CONSULTED WITH SEVERAL OF THE DOCTORS RETAINED BY THE DEFENSE IN ORDER TO CONSIDER AND EVALUATE THEIR OPINIONS AND CONCLUSIONS REGARDING THE CASE SO AS TO SEEK OUT EVERY POSSIBLE VIEWPOINT BENEFICIAL TO THE DEFENDANT.

BAILEY ASKED FORT IF HE HAD SPOKEN TO BROWNING ABOUT

THE POSSIBILITY OF GOING TO THE DEFENDANTS FAMILY TO DISCUSS THE MATTER OF A POSSIBLE MEANS OF AVOIDING A PUBLIC TRIAL. FORT ANSWERED THAT HE HAD TOLD BROWNING HE WAS GOING TO POINT OUT TO THE FAMILY THAT SOME DISADVANTAGES AND INJURIES MIGHT ACCRUE TO THE DEFENDANT BECAUSE OF A PUBLIC TRIAL, AND EVERY POSSIBILITY OF AVOIDING A PUBLIC TRIAL SHOULD BE EXPLORED. FORT WAS ASKED IF HE HAD TOLD THE HEARSTS', "MR. BROWNING SAID IT'S OKAY AS LONG AS IT'S 100 PER CENT MY IDEA AND NOT HIS". FORT INDICATED THAT HE MAY HAVE SAID TO THE HEARSTS' THAT THE IDEA TO CONTACT THEM WAS HIS ALONE, AND TESTIFIED THAT HE COULD UNDERSTAND ^{HOW} ~~NOT~~ SUCH A STATEMENT COULD BE MISCONSTRUED AS ABOVE. FORT WAS ASKED IF HE HAD TOLD MRS. HEARST THAT SHE SHOULD CONSULT A THIRD PARTY BECAUSE BAILEY WANTS PUBLICITY AND BROWNING WANTS A JUDGESHIP. FORT INDICATED THAT HE HAD NOT SO STATED TO MRS. HEARST AND SAID THAT MRS. HEARST HERSELF MAY HAVE SAID SOMETHING TO THAT EFFECT TO HIM.

FORT INDICATED THAT HE HAD REACHED HIS FINAL CONCLUSION IN THE CASE APPROXIMATELY ONE WEEK PRIOR TO FEBRUARY 20, 1976,

PAGE FOURTEEN

SF 7-855

THE DATE ON WHICH HIS REPORT WAS SUBMITTED.

TRIAL WAS RECESSED AT APPROXIMATELY 4 P.M. UNTIL 10 A.M.,

MARCH 10 1976.

END.

EX-101-A



**FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535**

To: SAC, San Francisco (7-855)

March 11, 1976

From: Director, FBI

FBI FILE NO.

7-15200

LAB. NO.

D-760310001 PF

Re: **HEARNAP**

Examination requested by: **San Francisco**

Reference: **Telephone call 3/8/76**

Examination requested: **Document**

Remarks:

For your assistance, some similarities were observed in comparing portions of the questioned writing on the New Jersey application for drivers license mentioned in the attached report with available writing of Yoshimura and with portions of the questioned writing on other items previously submitted.

Enclosures (2) (2 Lab report)

REC-34

7-15200-7642

EX-116

MAILED 14

MAR 12 1976

FBI

23 MAR 16 1976

URG-100(4)*

ADMINISTRATIVE PAGE

MAIL ROOM ☐

TELETYPE UNIT ☐

84 MAR 22 1976

Handwritten signature and initials
5048

REPORT
of theFEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

To:

SAC, San Francisco (7-855)

March 11, 1976

FBI FILE NO.

7-15200

LAB. NO.

D-760310001 PF

Re:

HEARNAP

Specimens received

////////

Request received 3/8/76

Request for comparison of writing on New Jersey Division of Motor Vehicles Application for Drivers License #2568544, signed "Joan W. Schimada," which was previously submitted for latent fingerprint examination

Result of examination:

A definite conclusion was not reached whether the questioned writing on the above-described application for drivers license was prepared by WENDY MASAKO YOSHIMURA, K130, K131 and K132.

The above-described application for drivers license was previously returned.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

FEB 09 1976

TELETYPE

Assoc. Dir.	
Dep.-A.D.-Adm.	
Dep.-A.D.-Inv.	
Asst. Dir.:	
Admin.	
Comp. Syst.	
Ext. Aff.	
Files & Com.	
Gen. Inv.	
Ident.	
Inspection	
Intell.	
Laboratory	
Plan. & Eval.	
Spec. Inv.	
Training	
Legal Coun.	
Telephone Rm.	
Director Sec'y	

SF 139

NR 002 SF CODE

11:14 AM NITEL 2/9/76 MCC

TO DIRECTOR (7-15200)

FROM SAN FRANCISCO (7-855)

ATTN: GID, INTD AND FBI LABORATORY - DOCUMENT SECTION

HEARNAP, OO SAN FRANCISCO

760211004

RE WENDY MASAKO YOSHIMURA

WASHINGTON FIELD OFFICE HAS ADVISED THAT YOSHIMURA'S PASSPORT APPLICATION IS BEING MADE AVAILABLE TO THE FBI LABORATORY FOR HANDWRITING EXAMINATION.

THE DOCUMENT SECTION IS REQUESTED TO COMPARE HANDWRITING ON THE PASSPORT APPLICATION WITH Q2100, A SEVEN PAGE LETTER; Q2057, A POSTCARD; AND Q2051, A RENTAL APPLICATION UNDER THE NAME OF JOAN SHIMADA.

DISTRICT ATTORNEY'S OFFICE, ALAMEDA COUNTY, CALIFORNIA, IS INTERESTED IN OBTAINING RESULTS OF EXAMINATION AS SOON AS POSSIBLE FOR COMING TRIAL WENDY YOSHIMURA.

END

EX-115 REC-1

7-15200-7643

FEB 12 1976
FBI
RECEIVED

MAR 12 1976

SEVEN

Index to Files

CC - General Inves



FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

To: SAC, San Francisco (7-855)

EX-115 March 2, 1976

From: Director, FBI

FBI FILE NO.

REC-1 7-15200-7643

LAB NO.

D-760211004 PF

D-760217051 PF

D-760225072 PF

Re: HEARNAP

OO: San Francisco

DO NOT INCLUDE ADMINISTRATIVE
PAGE(S) INFORMATION IN
INVESTIGATIVE REPORT

Examination requested by San Francisco

Reference: Teletype dated 2/9/76 and Airtels dated 2/13/76
and 2/23/76

Examination requested: Document - Fingerprint - Cryptanalysis

Remarks:

You are being advised separately concerning the requested cryptanalysis examination of Q2320 and Q2321. Q2320, Q2321, Q2311, and Q2312 are being returned separately with the results of the fingerprint examination. The other submitted items are being personally delivered to San Francisco.

Based on the use of K130 and K131, similarities observed indicate that the questioned "Gwen Jones" signature and the questioned hand printing except "SELF-EMPLOYED" in the applicant's statement portion of Q2312 may have been prepared by YOSHIMURA.

The photocopies Qc2314 and Qc2315 are too indistinct for adequate comparison.

If the "Anne Wong" signatures on Q2311 and Q2313 are compared with previously submitted Q2237 through Q2239 it could be said that some similarities were observed which would indicate that these signatures could have been prepared by the writer or writers of Q2237 through Q2239.

BRG/pjm (4)

ADMINISTRATIVE PAGE

MAIL ROOM ☒

TELETYPE UNIT ☐

84 MAR 25 1976

REPORT
of the



FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

To: SAC, San Francisco (7-855)

March 2, 1976

FBI FILE NO.

7-15200

7643

LAB. NO.

D-760211004 PF

D-760217051 PF

D-760225072 PF

Re: HEARNAP

Request

~~XXXXXX~~ received

2/10/76:

Request comparison of known writing of WENDY MASAKO YOSHIMURA with Q2051, Q2057 and Q2100, previously submitted

Specimens received 2/17/76:

Q2311 Rental Agreement form dated 8/3/71, bearing the signature "Anne Wong"

Q2312 Rental Agreement form dated 5/20/71, bearing the signature "Gwen Jones"

Q2313 Rental Agreement form dated 1/1/72, bearing the signature "Anne Wong"

Qc2314 Photocopy of receipt #W807261, bearing the signature "Ann Wong"

Qc2315 Photocopy of receipt #B890203, bearing the signature "W. Yoshimura"

K131 Thirteen sheets of paper bearing the writing of WENDY MASAKO YOSHIMURA

Specimens received 2/25/76:

Q2320 Portion of card bearing written notations beginning "1 Z 2J. . ."

Page 1

(Over)

Q2321 Sheet of notebook paper bearing written notations beginning "RAO-001. . . ."

K132 Five checks #3118, 3172, 3439, 3479 and 3491, bearing the known endorsements of WENDY YOSHIMURA

Result of examination:

A definite conclusion was not reached whether the questioned writing on Q2051, Q2057, Q2100, Q2101, Q2175, Q2237, Q2238, Q2239, and Q2311 through Qc2315 was or was not prepared by WENDY MASAKO YOSHIMURA, K130, K131 and K132, due to the limited amount of known writing, the presence of unexplained variations, the lack of sufficiently comparable writing, and the lack of sufficient clarity in the submitted photocopies.

The submitted evidence is being returned separately.

F B I

Date: 2/13/76

Dep. Asst. Dir. _____
 Dep. AD-Adm. _____
 Asst. Dir.: _____
 Admin. _____
 Comp. Syst. _____
 Ident. _____
 Insp. _____
 Intell. _____
 Lab. _____
 Plan. & Eval. _____
 Spec. Inv. _____
 Training _____
 Legal Coun. _____
 Telephone Rm. _____
 Director Sec'y _____

Transmit the following in _____

(Type in plaintext or code)

Via AIRTEL

AIRMAIL

(Priority)

TO: DIRECTOR, FBI (7-15200) (ATTN: GID, INTD, AND LABORATORY
 DOCUMENT SECTION AND LATENT FINGERPRINT SECTION)

FROM: SAC, SAN FRANCISCO (7-855)

BEARNAP
 DO: SF

RE: WENDY MASAKO YOSHIMURA

Enclosed for FBI Laboratory are two photostatic statement copies of credit cards signed in the name ANN WONG and W. YOSHIMURA; one rental agreement signed ANNE WONG, dated 8/3/71; one rental agreement signed ANNE WONG, dated 1/1/72; one rental agreement in the name of GWEN JAMES; ten statements signed WENDY YOSHIMURA which also bear figures placed upon them by YOSHIMURA.

FBI Laboratory, Document Section, is requested to conduct handwriting comparisons of the enclosed against Q2175 and K130. (It should be pointed out that YOSHIMURA has been tentatively identified as the individual who utilized the name GWEN JAMES and ANN and ANNE WONG.

Latent Fingerprint Section is requested to conduct latent examination regarding the 3 enclosed rental agreements and compare developed latents against known prints of WENDY MASAKO YOSHIMURA.

All examinations are requested to be expedited where possible as enclosed documents will be required for trial of YOSHIMURA tentatively scheduled for 2/23/76.

3 Bureau (Encls. 15- AM, REG)
 2 SF 7-855

JBM:LMR
 (5)

CC for nothing - GID

REC-1

EX-115 7-15200-7644

PHOTOGRAPHED

FEB 17 1976

MAR 11 1976

Approved: _____

Sent _____

M

Per _____

84 MAR 25 1976

Special Agent in Charge

Index Lab Files, My Office Copy and Submissions retained in Lab for Lab Action and Report

FBI

Date: 2/23/76

Transmit the following in _____

(Type in plaintext or code)

Via

AIRTEL

AIR MAIL

(Priority)

TO: DIRECTOR, FBI (7-15200)
(ATTN: GID, INTD, & FBI LAB)

FROM: SAC, SAN FRANCISCO (7-855) (P)

SUBJECT: HEARNAP

OO: San Francisco

Enclosed for FBI Laboratory are five checks issued to WENDY YOSHIMURA, dated 2/25, 3/10, 3/3, 1/14, and 1/7/72, respectively. Also enclosed for FBI Laboratory is one page from a spiral notebook, which contains numbers and letters possibly utilized in a code, and a yellow scrap of paper, which bears numbers and letters and deals with the subject of code.

REQUEST OF THE FBI

Document Section is requested to utilize the five checks enclosed as the known signatures of WENDY MASAKO YOSHIMURA to be used in comparisons with questioned documents.

Cryptographic Section is requested to compare the enclosed cryptographic material with previously submitted cryptographic material in this matter to see if contents are similar to that previously submitted.

Latent Fingerprint Section is requested to conduct latent fingerprint examination of enclosed documents that deal with the subject of code in effort to locate fingerprints of WENDY MASAKO YOSHIMURA.

- 2 - Bureau (Enc. 7) (RM)
3 - San Francisco
(1 - 100-66414) (Info)
J.M/vdb

PHOTOGRAPHED

FEB 25 1976

Approved: _____

Special Agent in Charge

Sent _____

M

Per _____

SF 7-855
JH/vdb

It is requested that the examinations requested
above be expedited in view of the pending court trial
regarding WENDY MASAKO YOSHIMURA.

FEDERAL BUREAU OF INVESTIGATION

Washington, D. C. 20537



REPORT

of the

IDENTIFICATION DIVISION

LATENT FINGERPRINT SECTION

EX-115

YOUR FILE NO.

FBI FILE NO.

LATENT CASE NO.

7-855

7-15200

A-84715

March 3, 1976

TO

SAC, San Francisco

RE

HEARNAP

REFERENCE

EXAMINATION REQUESTED BY:

SPECIMENS

Airtel 2-28-76

San Francisco

Portion of card bearing written notations, Q2320

Sheet of notebook paper bearing written notations, Q2321

This report supplements and confirms Butel 3-1-76.

Listed Q specimens further described separate Laboratory report.

One latent fingerprint of value developed on Q2321.

No latent prints of value developed remaining specimen.

See attached page for result of comparison conducted.

Specimens enclosed.

Assoc. Dir. _____
 Dep. AD Adm. _____
 Dep. AD Inv. _____
 Asst. Dir. _____
 Admin. _____
 Comp. Syst. _____
 Ext. Affairs _____
 Files & Com. _____
 Gen. Inv. _____
 Ident. _____
 Inspection _____
 Intell. _____
 Laboratory _____
 Legal Coun. _____
 Plan. & Eval. _____
 Spec. Inv. _____
 Training _____
 Telephone Rm. _____
 Director Sec'y _____

Enc. (2)

RSH: jah

(6)

Clarence M. Kelley, Director

THIS REPORT IS FURNISHED FOR OFFICIAL USE ONLY

MAIL ROOM ☒TELETYPE UNIT ☐

MAR 4 1976

Your File No. 7-855
FBI File No. 7-15200
Latent Case No. A-84715

March 3, 1976

RE: MICHAEL ALEXANDER BORTIN, FBI #710110G

A latent print developed on sheet of notebook paper bearing written notations beginning "RAG-001," has been identified with an impression of the right thumb of Bortin. The sheet of paper has been designated Q2321.

RECORDED

2/25/76

lsr

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Recorded 2-27-76

10:10 a.m. bjg
Laboratory Work Sheet

Received 2-27-76

LAB FILE
LATENT

To: SAC, San Francisco (7-855)

FBI FILE NO. 7-15200 7645

LAB. NO. LC#A-84715
D-760225072 PF

Re: HEARNAP

YOUR NO.

OO: San Francisco

Examination by: GILLHAM

HURT

Examination requested by: San Francisco

Noted by: + φ *refined*

Reference: Airtel dated 2/23/76

Examination requested: Document - Fingerprint - Cryptanalysis

Specimens received: 2/25/76

Q2320 Portion of card bearing written notations
beginning "1 Z 25...."Q2321 Sheet of notebook paper bearing written
notations beginning "RAO-001...."K132 Five checks #3118, 3172, 3439, 3479 and
3491 bearing the known endorsements of
WENDY YOSHIMURANamed subject:
WENDY MASAKO YOSHIMURA*Specs. proc. J, W. 2/27**2's to photo 2/27 per**1 lat. Engr. val. ser. Q2321 (W) -- φ #1 Bortin, Michael**no odd's (SN)**spec. over 3/1*FBI# 710-110- *Gaird**3-3-76**RSH/gal**Nitel**3-1-76**RSH/gal*

Examination completed 9130

Time

3/1/76

Date

Dictated 3/1/76

Date

100/AB

FBI

Date:

3/3/76

Transmit the following in _____

(Type in plaintext or code)

AIRTEL

AIR MAIL

Via _____

(Priority)

TO: DIRECTOR, FBI (7-15200)
 FROM: *B* SAC, SAN FRANCISCO (7-855) (P)
 SUBJECT: HEARNAP

Attached herewith are the results of an interview of [REDACTED] on 3/2/76 setting forth facts including his contacts with PATRICIA HEARST.

During the debriefing of [REDACTED] indications were obtained that he had been in contact with PATRICIA CAMPBELL HEARST while she was in a fugitive status. Due to the fact that the HEARST trial was drawing to a close, [REDACTED] was interviewed by SAC CHARLES W. BATES, ASAC LAWRENCE G. LAWLER, and SA [REDACTED] to elicit specific knowledge concerning [REDACTED] contacts with HEARST and to determine his potential as a witness in this matter.

On 3/3/76, the enclosed interview was furnished personally by SAC BATES and ASAC LAWLER to United States Attorney JAMES L. BROWNING, Jr., and AUSA DAVID L. BANCROFT. Upon reading the information BANCROFT raised strong objections to using [REDACTED] as a witness to which BROWNING agreed.

On 3/3/76, USA BROWNING telephonically contacted Assistant Attorney General THORNBURG for his opinion in this matter. USA BROWNING indicates that THORNBURG was in agreement not to use [REDACTED] however desired USA BROWNING to personally interview [REDACTED] to determine what type of witness he would make if he were to be used.

2 - Bureau (Enc. 1) (RM)
 2 - San Francisco
 LGL:mk
 (3)

REC-1

EX-115

REC-1

MAR 12 1976

Approved: _____

Sent _____

M

Per _____

Special Agent in Charge

34 MAR 23 1976

SF 7-855

LG:lmk

On 3/3/76, USA BROWNING interviewed [REDACTED] and has indicated that he does not believe he would use [REDACTED] at this time but would like to "sleep on it" before making final decision. b7C
b7D

USA BROWNING will be recontacted on 3/4/76 to determine if a final decision has been reached by him.

Bureau will be advised if BROWNING intends to use [REDACTED] as a witness. Above for information.

XXXXXX
XXXXXX
XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET3

Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- ☒ Deleted under exemption(s) b7D with no segregable material available for release to you.
- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
- ☐ Information pertained only to a third party. Your name is listed in the title only.
- ☐ Document(s) originating with the following government agency(ies) _____, was/were forwarded to them for direct response to you.

_____ Page(s) referred for consultation to the following government agency(ies); _____ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

_____ Page(s) withheld for the following reason(s):

☐ For your information: _____

☒ The following number is to be used for reference regarding these pages:

7-15200-7646

XXXXXX
XXXXXX
XXXXXX
 XXXXXXXXXXXXXXXXXXXX
 X DELETED PAGE(S) X
 X NO DUPLICATION FEE X
 X FOR THIS PAGE X
 XXXXXXXXXXXXXXXXXXXX

UNITED STATES GOVERNMENT

Memorandum

TO :

MR. ASH *PS/424*

DATE: 3-8-76

FROM :

E. F. Johnson *230*

SUBJECT:

HEARNAP;
PATRICIA CAMPBELL HEARST

Assoc. Dir. ☒
 Dep. AD Adm. ☒
 Dep. AD Inv. ☒
 Asst. Dir.:
 Comp. Syst. ☒
 Ext. Affairs ☒
 Files & Com. ☒
 Gen. Inv. ☒
 Ident. ☒
 Inspection ☒
 Intell. ☒
 Laboratory ☒
 Legal Coun. ☒
 Plan. & Eval. ☒
 Spec. Inv. ☒
 Training ☒
 Telephone Rm. ☒
 Director Sec'y ☒

LATENT PRINT TESTIMONY

Name of Specialist(s) Donald F. McBrideLocation San Francisco, California Date 3-1-76Testified: ☐ Yes ☒ No (If no explain in Remarks:)Type of Court: ☒ Federal ☐ State
☐ Other (specify _____)Judge Oliver J. CarterProsecuting Attorney James BrowningDefense Attorney F. Lee BaileyTrial by: ☒ Jury ☐ Judge ☐ Other (type _____)Specimen(s) retained by court None

To be returned by _____

Results of Trial Still in progress at time of departure

Will be advised by _____

Arrived in Washington Date 3-5-76 Time 11:00 P. M.

Remarks:

McBride recalled by USA Browning for rebuttal testimony concerning latent print identifications with Hearst on items which Hearst had taken the 5th Amendment. In particular were the identifications effected on the "BAKERY" list, which is a list outlining things to be done in robbing a bank. After much discussion between Browning, Bailey & Bailey's assistant, Albert Johnson, and just prior to McBride testifying on 3-5-76, stipulation was agreed upon and read into the record by Browning.

84 MAR 23 1976

7-15200

A-84715

DFM:pmw (2)

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAR 11 1976
TELETYPE

Assoc. Dir.	
Dep. A.D.-Adm.	
Dep. A.D.-Inv.	
Asst. Dir.:	
Admin.	
Comp. Syst.	
Ext. Affairs	
Files & Com.	
Gen. Inv.	
Ident.	
Inspection	
Intell.	
Laboratory	
Plan. & Eval.	
Spec. Inv.	
Training	
Telephone Rm.	
Director Sec'y	

SF 996

NR 002 SF CODE

11:50 AM URGENT 3/11/76 MCC

TO: DIRECTOR, FBI (7-15200)
SAC, NEWARK (7-1105) (INFO)
FROM: SAC, SAN FRANCISCO (7-855) (P)
ATTENTION: LEGAL COUNSEL, INTD, GID
HEARNAP, OO: SAN FRANCISCO

RE LOCAL TRIAL TRIAL OF WENDY MASAKO YOSHIMURA.

RE SAN FRANCISCO TELETYPE TO BUREAU, DATED MARCH 9,
1976.

ALAMEDA COUNTY SUPERIOR COURT JUDGE PULICH RULED MARCH 10,
1976, THAT HE WOULD REQUIRE PROSECUTION TO SUBMIT AN OFFER
OF PROOF REGARDING SEARCH WARRANTS ISSUED FOR SAN FRANCISCO
ADDRESSES.

EX-115 REC-1 7-15200-7648
INVESTIGATOR DON JONES, ALAMEDA COUNTY DISTRICT ATTORNEY'S
OFFICE, ADVISED THIS DATE THAT IT IS LIKELY PULICH WILL RUL MAR 16 1976
ON SEARCHES BASED ON THE OFFER OF PROOF WITHOUT TAKING ADDITIONAL
TESTIMONY. IF, HOWEVER, ADDITIONAL TESTIMONY IS RE-
QUIRED, IT WILL BE IN THE LATTER PART OF THE WEEK BEGINNING
MARCH 1.

84 MAR 23 1976

SF 7-855

PAGE TWO

(P)

SAN FRANCISCO WILL CONTINUE TO FOLLOW CLOSELY AND ADVISE
BUREAU AND INTERESTED OFFICES REGARDING APPEARANCE OF FBI
PERSONNEL.

END

CR-jen 7/10

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAR 11 1976

TELETYPE

NR 005 NK PLAIN

2:15 PM NITEL MARCH 11, 1976 MPS

TO: DIRECTOR, FBI (7-15200)

SAN FRANCISCO (7-855)

FROM: NEWARK (7-1105) (P)

HEARNAP. OO: SAN FRANCISCO.

RE SAN FRANCISCO TELETYPE, MARCH 9, 1976, AND
NEWARK TELCALL TO SAN FRANCISCO, MARCH 10, 1976.

RE LOCAL TRIAL OF WENDY MASAKO YOSHIMURA.
EVIDENCE OBTAINED FROM MRS. GALE TRIMBLE, 201
DIXON DRIVE, WESTFIELD, NEW JERSEY, WAS OBTAINED BY
SA'S MICHAEL D. WILSON AND JOSEPH M. BRENNAN. SA
WILSON UNAVAILABLE MARCH 15-26, 1976, DUE TO ATTENDANCE
MANAGEMENT APTITUDE PROGRAM, QUANTICO. SA BRENNAN WILL
TESTIFY DURING THAT PERIOD.

SA CLYDE K. VENABLE IS SA WHO OBTAINED ORIGINAL
DRIVERS LICENSE APPLICATION FROM DEPARTMENT OF MOTOR
VEHICLES, TRENTON, NEW JERSEY, IN EVENT HIS TESTIMONY
IS NEEDED.

EX-115

REC-1

7-15200-764 9

SAN FRANCISCO ADVISE NEWARK ASAP RE DATE SA BRENNAN

SHOULD APPEAR.

END.

FCD FBI

23 MAR 16 1976

84 MAR 23 1976

Assoc. Dir. _____
Dep. A.D. _____
Dep. A.D. Inv. _____
Asst. Dir.: _____
Admin. _____
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Director Sec'y _____

3/12/76
GENERAL INVESTIGATIVE DIVISION
HEARNAP

This concerns the ongoing trial of Patricia Campbell Hearst in San Francisco on 3/11/76.

Attached advises Hearst did not appear in court, having been found to be suffering from a respiratory infection with fever and ordered taken to hospital by Judge Oliver Carter.

Defense presented offer of proof by Dr. Margaret Singer as speech pattern analyst. Offer of proof rejected by Judge Carter, repeating previous grounds for rejection which were lack of legal precedence for an introduction of such testimony. Carter indicated dissatisfaction with the proof of general acceptance of scientific reliability of the procedure. On 3/12/76, in open court with jury absent, attorneys for both sides will argue jury instructions. On 3/10/76, juror Robert Anderson was excused from service because of death in family. Consecutive alternate was seated and two alternates remain. Judge Carter expects jury to begin deliberations by March 20, 1976.

- 1 - Mr. Callahan
- 1 - Mr. Adams
- 1 - Mr. Leavitt
- 1 - Mr. Mintz
- 1 - Mr. Moore

TFM/brb

TKM

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SF 025

MAR 12 1976

TELETYPE

NR. 031 SF CODE

11:55 PM NITEL MARCH 11, 1976, MJE

TO: DIRECTOR, FBI

ADIC, LOS ANGELES

FROM: SAC, SAN FRANCISCO (7-855) (P)

ATTN: INTD AND GID

HEARNAP

RE TRIAL OF PATRICIA HEARST, MARCH 11, 1976.

PATRICIA HEARST DID NOT APPEAR IN COURT THIS DATE BUT HAVING BEEN EXAMINED BY A U.S. PUBLIC HEALTH SERVICE PHYSICIAN AND HAVING BEEN FOUND TO BE SUFFERING FROM A RESPIRATORY INFECTION WITH A FEVER, WAS TAKEN TO A HOSPITAL AT THE ORDER OF JUDGE OLIVER CARTER.

THE DEFENSE PRESENTED AN OFFER OF PROOF BY DOCTOR MARGARET SINGER IN HER CAPACITY AS A SPEECH PATTERN ANALYST. SHE TESTIFIED THAT IF SHE WAS ALLOWED TO TESTIFY IN THE PRESENCE OF THE JURY, SHE WOULD TESTIFY THAT PATRICIA HEARST HAD NOT AUTHORED ANY OF THE STATEMENTS SHE MADE ON THE 4TH, 5TH, 6TH AND 7TH SLA TAPES AND HAD NOT AUTHORED ANY OF THE MATERIAL APPEARING IN THE TANIA INTERVIEW. THIS OFFER OF PROOF WAS REJECTED BY JUDGE CARTER, REPEATING THE PREVIOUS GROUNDS FOR REJECTION WHICH WERE A LACK OF ANY

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Director Sec'y

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Antony

EX-115 REC-1 7-15200-7650

23 MAR 16 1976

84 MAR 23 1976

6-Ea

PRECEDENCE

LEGAL ~~PRECEDENCE~~ FOR THE INTRODUCTION OF SUCH TESTIMONY. CARTER INDICATED DIS-SATISFACTION WITH THE PROOF OF GENERAL ACCEPTANCE OF SCIENTIFIC RELIABILITY OF THE ~~PRECEDENCE~~ ^{PROCEDURE}.

TOMORROW, MARCH 12, 1976, IN OPEN COURT, WITH THE JURY ABSENT, ATTORNEYS FOR BOTH SIDES WILL ARGUE JURY INSTRUCTIONS. AS MODIFICATIONS OF THE JURY INSTRUCTIONS BECOME APPROPRIATE BY FUTURE TESTIMONY, SUCH MODIFICATIONS WILL BE MADE.

YESTERDAY, MARCH 10, 1976, ~~JURY~~ ^{JUROR} ROBERT ANDERSON WAS EXCUSED FROM SERVICE BECAUSE OF A DEATH IN THE FAMILY. THE NEXT CONSECUTIVE ALTERNATE WAS SEATED. TWO ALTERNATES REMAIN.

JUDGE CARTER INDICATED HE EXPECTS THE JURY TO BEGIN DELIBERATION ~~XXXXXXXXXX~~ BY SATURDAY, MARCH 20, 1976. HE EXPECTS THE GOVERNMENT REBUTTAL CASE TO LAST APPROXIMATELY ONE DAY LONGER, WITH DOCTOR KOZOL AND THREE BRIEF WITNESSES. HE EXPECTS BAILEY'S DEFENSE REBUTTAL TESTIMONY WILL LAST A DAY ^{WEDNESDAY} AND A HALF AND FINAL ARGUMENTS WILL BEGIN BY ~~WEDNESDAY~~ OR THURSDAY.

END.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAR 09 1976

TELETYPE

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Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

LA 518

NR 015 LA PLAIN

4:15PM NITEL 3-9-76 DLB

TO DIRECTOR (7-15200)

SAN FRANCISCO (7-855)

FROM LOS ANGELES (7-1627) (P)

ATTN: GID, INTD & OFFICE OF LEGAL COUNSEL

HEARNAP, OO: SAN FRANCISCO.

LOS ANGELES TRIAL OF WILLIAM AND EMILY HARRIS

RE LOS ANGELES TEL TO THE BUREAU MARCH 4, 1976.

ON MARCH 8, 1976, LOS ANGELES COUNTY SUPERIOR COURT JUDGE MARK BRANDLER DENIED DEFENSE PRE-TRIAL MOTION TO SUPPRESS IN-COURT IDENTIFICATION.

FOR INFORMATION BUREAU AND SAN FRANCISCO, SAMUEL MAYERSON, ASSISTANT DIRECTOR OF CENTRAL OPERATIONS, LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE, ESTIMATES THAT THE LOS ANGELES TRIAL WILL BE POSTPONED FOR APPROXIMATELY 60 DAYS IF PATRICIA HEARST IS TRIED AT THE SAME TIME AS THE HARRISES. HE STATED THAT BOTH HE AND THE HARRISES' ATTORNEY WOULD PREFER THAT ALL THREE BE TRIED AT THE SAME TIME.

EX-116

REC-3

7-15200-7431
6 MAR 17 1976

BUREAU AND SF WILL BE KEPT ADVISED OF PERTINENT DEVELOPMENTS.

END

84 APR 6 1976

Allentown, Pa.
March 8, 1976.

National Director, F.B.I.
Washington, D. C.

Attention: Mr. Clarence Kelley

Dear Sir:

Enclosed is a newspaper with an account of a story on the Patty Hearst case, part of which deals with an account attributed to an unidentified source. I am that unidentified source. The only facts that I can add, as I reflect, are that they never asked to see the jacket. It was a denim jacket with brass buttons and had this piece of stripe-lined tablet paper, with the name, I believe, Emily Harris (I didn't know her name at the time) on it and among other things street numbers in the 60's or 80's, which I assumed could only refer to a major city like New York. There was also a packet of candy squares, wrapped individually (charms) with about three pieces remaining and grape flavored. As I look back, the jacket was not the type Patty wore in the holdup. It could even have belonged to one of the other girls, the size being average for what I assumed to be a female figure.

I regret having to write this letter, inasmuch as, I have always had confidence in the reliability of the F.B.I. since I was a youngster. I shall be 62 years old on March 20. The least that they could have done was to write me a personal letter, acknowledging my appearance at their office and assuring me that they had denied the newspaper story for security reasons only. How can the public be involved in fighting crime, as you ask, if this is the kind of treatment you receive? As hindsight, I believe that I would have done better if I had given this information to the State Police in the Poconos. But, where else do you go with information of an interstate nature but to the honest, reliable and dependable F.B.I., with facilities and equipment to decipher and analyze even the minutest bit of information? I left the whole thing confidently (I thought) in their hands.

When I entered the local F.B.I. office, in which I had never been before, and located in the post office building, I was met by one man, who led me to another man, which I believe was Mr. Fritz. They introduced themselves and led me to a partly secluded office, which I think was located in the middle of the room. They both had tan-colored holsters in front with pistols inside. I had left the jacket at home since, I reasoned, they wanted to see it, they had my name, address and phone number.

They invited me to a seat and proceeded to interview me for at least twenty-five minutes. When they began the questioning, I started to think that I was suspect instead of Patty, the Harris's and Miss Noshimura. They asked where I worked, what my job was, who my supervisor was and many other personal questions. I had even told them that the whole episode might be a wild dream, but there were reports in the newspapers at the time that she had recently been spotted at a gas station in western Pennsylvania.

ENCLOSURE

antel to SACs PH (enc 2)
3-17-76
GLP:mas

CORRESPONDENCE
8

When I remarked in a jocular vein, that I wouldn't even be bashful about collecting the \$50,000 reward which had reportedly been offered by Patty's father, for information leading to her whereabouts, they looked at each other in a somber mood and there was a pause of several seconds.

Since it has been reported in the newspapers that the clue that led to the apprehension of the fugitives (namely the fingerprints, etc.) was found in the Pa. farmhouse which they had temporarily occupied, I am claiming the \$50,000 reward.

I want to further state that Mr. George Joseph, our district attorney, is fully aware of all the facts and knows my identity.

I certainly hope that there will be no repercussions from your local office. I am ready to back up my story. When I came home with the jacket, my wife and a friend were packing as we were preparing to move to another address. They are ready to back up my story. I stand on my reputation, which I believe to be commendable.

Yours Truly,

[REDACTED] b7c
Allentown, Pa.

Telephone No. [REDACTED]

My working address in the daytime is [REDACTED]

Phone No. [REDACTED]

I am presently in the [REDACTED]
ervisor is [REDACTED]

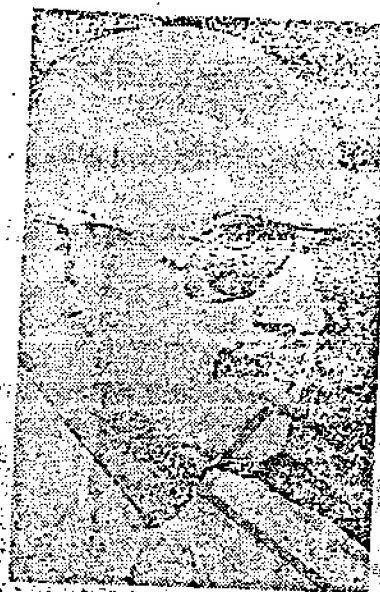
My supervisor is [REDACTED]

P.S. My address at the time was [REDACTED]

Please return enclosed newspaper. Thank you.



BILL WALTON
...cager linked to Patty?



JACK SCOTT
"my comrade Jack"

Baske in Pa

By THE ASSOCIATED PRESS

Developments in the suddenly-revived Patricia Hearst case today included the questioning of a professional basketball star, curiosity about a Pennsylvania farmhouse where the fugitive heiress may have hidden out last fall and a newspaper report that the FBI has shifted its search efforts to Las Vegas in recent weeks.

Miss Hearst, kidnaped by the Symbionese Liberation Army Feb. 4, 1974, was last heard from June 7 after she had publicly joined her captors and gone into hiding with the last known survivors of the SLA.

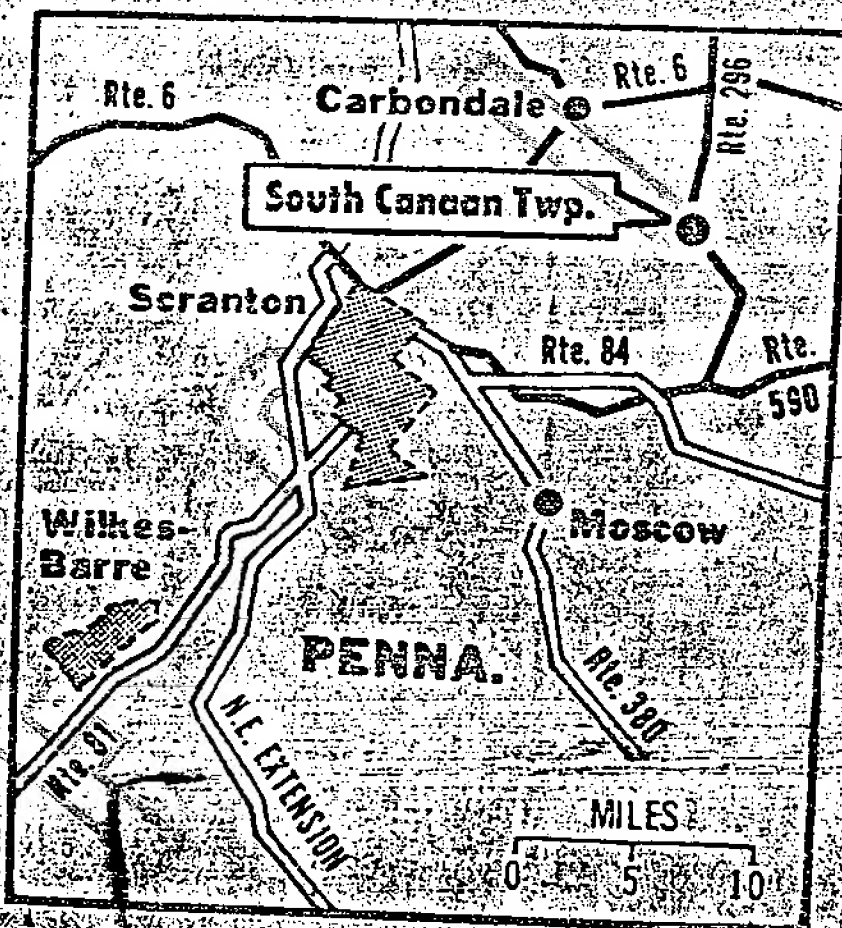
Although there were hundreds of reports of sightings since then, her reported presence in Pennsylvania is the most solid lead yet to surface on her whereabouts. One newspaper reported that her fingerprints were found there, and a federal grand jury Thursday launched an investigation into the matter.

Bill Walton, rookie star center for the Portland Trail Blazers of the National Basketball Association, was questioned in San Francisco on Wednesday by the FBI in connection with the Hearst case, his attorney said today.

"Bill was cooperative, but he couldn't tell them anything" because he doesn't know anything," Charles Garry said. "He and the Scotts are friends, but he hasn't seen them for several weeks, and he knows nothing about the SLA or Patricia Hearst."

The Scotts are former college athletic director Jack Scott and his wife, who had been living with Walton near Portland, Ore. Published reports alleged that Scott had been in contact with Miss Hearst and may even be with her now.

In Canaan, Pa., where Miss Hearst and three others were reported to have hidden out last fall, several neighbors said they had been questioned by the FBI.



Map locates South Canaan Township (AP)

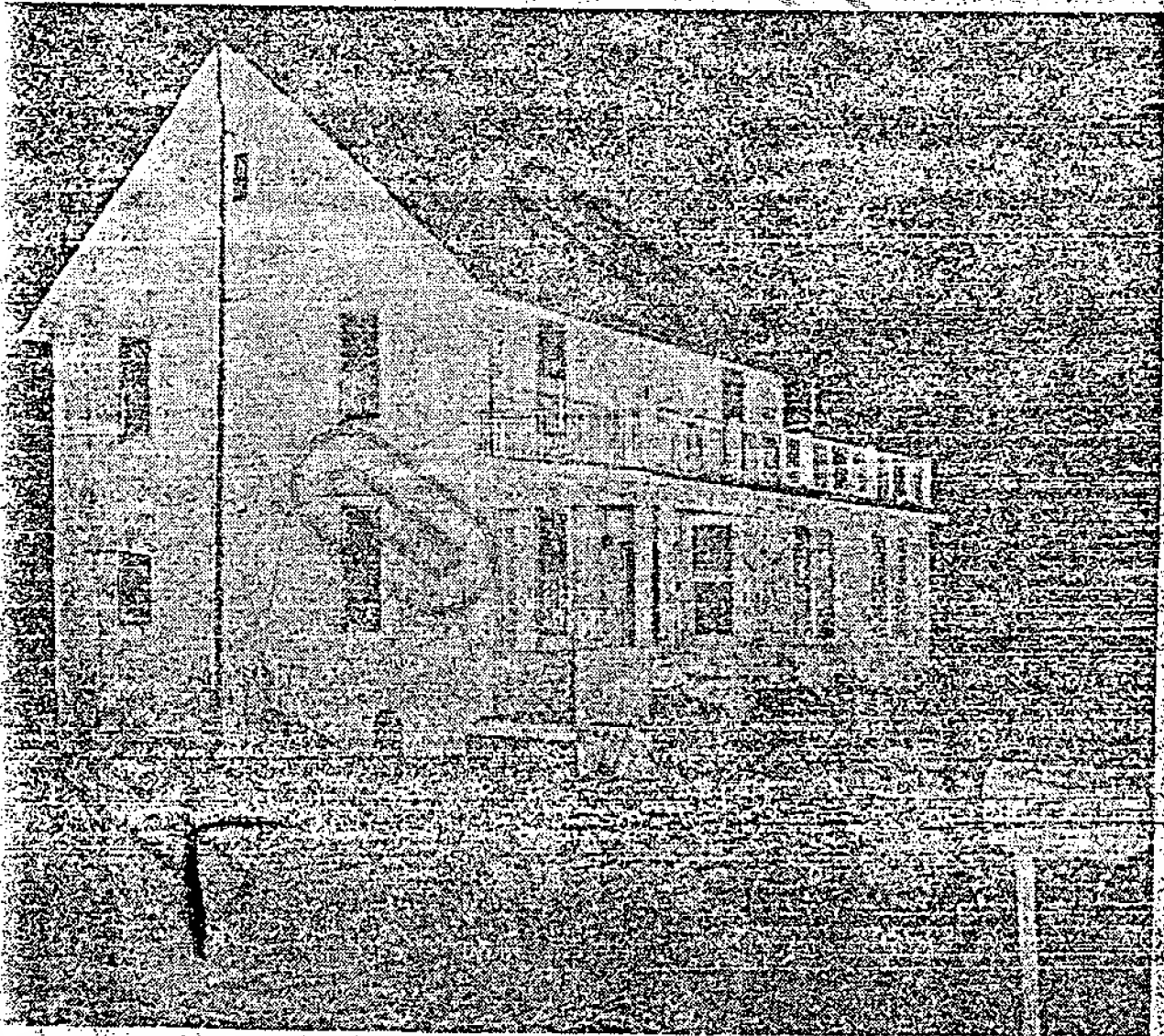
ENCLOSURE

7-15200-76522 See Page 6, Column 1

MARCH 14, 1975

15c A copy 60c Home Delivery
Monday Through Friday

ball star grilled by Hearst case



This is the farm house where Patty Hearst reportedly hid. (AP)

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I chose to tell the truth, I told the truth because the FBI and the U.S. Attorney already knew it. Somebody else snitched, I told the truth because I'm not prepared to go to jail for the so-called alleged crimes of others.

(From statement by Weiner, who testified about Patricia Hearst to grand jury. Full statement on Page 6)

JAY WEINER

FBI silent on 'hideout' in Poconos

By BILL GERNERD
and RALPH ROSEN, GUGER
Of the Chronicle Staff

Reports circulating among Wayne County residents today, that fingerprints in a South Canaan Township farmhouse substantiated it was a hideout for Patricia Hearst were neither confirmed nor denied by the FBI's Scranton office.

An agent in the office told the Evening Chronicle the Hearst case is "an ongoing investigation and we can't make any other details known."

The suspected hideout, believed to have been occupied by fugitive newspaper heiress Patricia Hearst and Symbionese Liberation Army members William and Emily Harris, is located along a dirt road near Lake Quinn, about 1½ miles from the village of South Canaan Corners.

Wayne County's Chief Assessor Walter Beck described the farmhouse as "a nice retreat," and he said, "I know the place well."

He said the property, consisting of 37.15 acres, plus a house and outbuildings, was sold by John and Olga Schott in 1971 for \$38,500.

The buyer and present owners are Timothy and Janice O'Sullivan of Callicoon R.2, New York, and they've paid the taxes up to date, said Beck.

Questioned further about the possibility of the home having been used by Miss Hearst as a hideout, Beck replied, "We knew about this back in January, but we felt it was all a lot of malarky... until now."

Beck was one who had heard reports of Miss Hearst's fingerprints having been found in the farmhouse.

See Page 6, Column 2

FBI silent on hideout

Continued From Page 1

He said, too, he had heard the people using the house last fall "went into the South Canaan Corners store of Mr. and Mrs. Erwin Lockwood to buy food, but Mrs. Lockwood didn't recognize them."

The Lockwoods were questioned by the FBI about the farmhouse and its tenants.

It could not be learned today whether the present owners, the O'Sullivans, have been questioned by the FBI.

Wayne County Sheriff Henry Kalanowski confirmed he received an FBI flyer "about January 15th indicating Patty Hearst may be someplace in Wayne County."

"We were advised to keep our eyes peeled and if we see anything, to report it to the FBI," said the sheriff.

"But we didn't see anything," he declared, adding he hasn't heard anything more from the FBI.

Beck said he observed "nothing out of the ordinary" at the farmhouse when he and his assessing team visited it last year for the annual reappraisal. "That's not to say there wasn't someone in it then, but we didn't see anyone," said Beck.

It was learned authoritatively that a cottage owned by Dr. L.S. Wolfe, the Emmaus physician whose son William L. Wolfe was one of six SLA members killed in the May 17, 1974, shootout with Los Angeles police, was not connected with the present investigation of a possible Patty Hearst hideout.

Dr. Wolfe has a cottage on the Delaware River, about three miles south of the Portland Toll Bridge on the Pennsylvania side of the river, about 55 miles southeast of South Canaan. He also has a cottage next door which he rents but, he added, he has never lived there.

The Emmaus physician said he knew

nothing new about the Hearst case. He told newsmen he had not harbored Miss Hearst or any other SLA members. He said he knew of no reasons "why they should be near here, or up at Scranton. I don't think my son knew anyone up there, no communes or counterculture communities. This is the first time I've heard anything about it."

A report also was checked out, based on an anonymous telephone call to the Evening Chronicle this morning, that the current investigation of a hiding place for Miss Hearst and her friends in the Pocomos all emanated from a tip coming into the Allentown office of the FBI.

The caller, who said he would not reveal his identity because he feared retaliation from the SLA, reported he had contacted the Allentown FBI office after he found a denim jacket along Route 6 near Greeley and Shohola Falls in Wayne County last August.

He said he thought the jacket looked just like the one Patty wore when she allegedly held up a California bank with other SLA members. In the jacket pocket he found a note containing the name Harris and a New York City address in the upper 80s, he said.

Asked what happened to the jacket, the caller said he had given it to the Rescue Mission before turning in the note to the FBI. He reported the FBI questioned him for half an hour, but since then has never contacted him.

Richard Fritz, agent in charge of the Allentown office, said he could not recall such an incident although the local office is receiving a constant stream of reports about Patty and/or her friends being sighted locally. Every one of these is checked out, he added.

Last week, he said they had one call that Patty had been spotted driving along Route 22. "We checked it out but never found anyone."

Asked whether any information collected from the local office had instituted the current investigation, Fritz said the local office had "definitely not" been the source for the Pocomo checking.

Fritz said he also wanted to repudiate reports in a Reading newspaper that Patty had been in an Allentown motel and was thought to be connected with the robbery yesterday of the National Central branch bank in the Berkshire Mall. "This information is definitely incorrect," he stated.

statement

or in prison, I hope you are safe and alert. To my comrades Jack, and to my dearest sister Micki, I am with you.

"Please try to understand the terrible pressure my family, friends and I have been under these past two weeks. I only hope that the love I feel for you, and the love you have always extended to me, is shared with you by others, and that you are safe, in or out of this monster's belly. Thank you."

Airtel

3/17/76

To: SACs, Philadelphia (7-1299) (Enclosures - 2)
San Francisco (7-8555)

From: Director, FBI (7-15200) - 7652

1 - Mr. Anthony
1 - Mr. Moore (Attn: Mr. Davenport)

HEARNAP

OO: SAN FRANCISCO

Enclosed for Philadelphia is a copy of a letter dated 3/8/76, received from a [redacted] Allentown, Pennsylvania [redacted] and the original newspaper clipping enclosure sent by [redacted] to the Director.

For information of San Francisco, [redacted] is claiming the \$50,000 reward offered by Randolph Hearst, for providing information as to Patricia Hearst's temporary residence in the Pennsylvania area. [redacted] contends (as confirmed by the newspaper clipping) led to her successful apprehension. For further information of San Francisco, Philadelphia has previously advised telephonically that they have obtained information indicating [redacted] was somewhat unstable and in the past has been considered a troublemaker at his place of employment.

Philadelphia should return the enclosed newspaper clipping to [redacted] as he requested in his letter, and in addition, advise [redacted] the reward of \$50,000 originally offered by Mr. Hearst on 5/8/74, was publicly withdrawn on 10/31/74. Therefore, this reward is not outstanding now and would not have been outstanding at the time he claims he furnished information to the FBI, Philadelphia.

GLP:sas
(7)

SEE NOTE PAGE TWO

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Dep. AD Inv. _____
Asst. Dir. _____
Admin. _____
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Spec. Inv. _____
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Legal Coun. _____
Telephone Rm. _____
Director _____

APPROVED:

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Dep. AD Inv. _____
Asst. Dir. _____
Admin. _____

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Spec. Inv. _____
Training _____

84 APR 6 1976

MAIL ROOM ☒

TELETYPE UNIT ☐

GPO 1975 O-589-920

Airtel, SACs, PH & SF
Re: Hearnap

NOTE: This communication is in response to a letter received at FBIHQ on 3/11/76, from [redacted] Allentown, Pennsylvania, in which he claims a reward of \$50,000 offered by Mr. Randolph Hearst for information he furnished leading to her safe return. Supervisor [redacted] Philadelphia office, telephonically advised on 3/16/76, that their indices were negative re [redacted] and that there were no outstanding warrants for [redacted]. Supervisor [redacted] did, however, advise that a check with employees where [redacted] is presently working indicates that [redacted] is a "flake," talks to himself, and is a "troublemaker." He has been suspended from work in the past for excessive absenteeism. This communication advised Philadelphia to return newspaper clipping sent in by [redacted] (as he requested) and to advise him no rewards remain outstanding.

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. _____
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Dep. AD-Inv. _____
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Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

TO : Mr. J. B. Adams

DATE: 3/4/76

FROM : Legal Counsel *J. Hearnap*

SUBJECT: LOS ANGELES TRIAL OF
WILLIAM AND EMILY HARRIS

Reference is made to Los Angeles teletypes to Headquarters dated 3/1/76 and 3/2/76, copies of which are attached.

Referenced teletype noted that on 3/1/76, Los Angeles Superior Court Judge Mark Brandler had ruled that the FBI Agents' initial entry into the apartment of William and Emily Harris at 288 Precita, San Francisco, was invalid. Judge Brandler's finding of invalidity was reportedly based on two considerations:

1. That approximately 1 1/2 years had passed without indication of violence by the Harrises and Hearst;
2. Approximately 30 hours had passed between the initial sighting of William Harris near the Precita address and the Harris' subsequent arrest. Judge Brandler reasoned, therefore, that the Agents had ample opportunity to obtain a search warrant for the premises.

On 3/2/76, this matter was discussed between SA [redacted] of the Administrative Division, and SA [redacted] of the Legal Counsel Division. SA [redacted], who at the time of the Harris' apprehension was assigned to the San Francisco Office, was in charge of the Agents who made the initial entry into the Harris apartment. SA [redacted] advised that the original plan of the Agents seeking to arrest William Harris was that he would be apprehended, while jogging, at a point distant from the Precita address so as to avoid a shoot out such as occurred in Los Angeles. It should be noted that the

- 1 - Mr. William Rood
- 1 - Mr. Fehl
- 1 - Mr. Gallagher
- 1 - Mr. Walsh
- (Attn.: Mr. John Schreiber)
- 1 - Mr. Mintz
- 2 - [redacted]

ENCLOSURE

REC-9

7-15200-7653
5 MAR 17 1976

CONTINUED - ON

84 APR 6 1976 cr



5010-108

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

Legal Counsel to Mr. Adams

RE: LOS ANGELES TRIAL OF WILLIAM AND EMILY HARRIS

Agents who made the arrest were not absolutely certain, based on their observations of the individual thought to be William Harris, that this individual was in fact William Harris. For this reason, the Agents were accompanied by a fingerprint technician so that, following the arrest, the individual thought to be William Harris could be fingerprinted for the purposes of positive identification. As it happened, both a man and a woman, later determined to be William and Emily Harris, left the Precita address and began jogging. These individuals were apprehended without incident, and their fingerprints taken thereby confirming that they were, in fact, the Harrises.

SA Schreiber's instructions were to wait until the apprehension had been made and a determination made as to whether the person apprehended was William Harris before moving into the vicinity of the Precita apartment. Following word that the apprehensions had been made, SA Schreiber and his men approached the apartment for the purpose of locating Patty Hearst and Wendy Yoshimura. Upon arrival at the apartment, the Agents observed that the door to the apartment was padlocked on the outside. The Agents then announced their identity and demanded entrance to the apartment. Upon receiving no response, entry was gained by breaking a window with a shotgun butt. The entering Agents searched the apartment for the purpose of locating Hearst and Yoshimura who, as it turned out, were not there. When Hearst and Yoshimura were not located, Agents were assigned to secure the premises while SA Schreiber returned to the field office for the purpose of preparing an affidavit in support of a warrant authorizing a general search of the premises. It must be emphasized that no search was conducted other than for the purpose of locating Miss Hearst and Miss Yoshimura prior to the issuance of a search warrant the following day.

It should be noted that the Precita address is located in a block of townhouses located directly across the street from a parochial school which was in session at the time of the Harrises arrest and subsequent search of the apartment for Hearst and Yoshimura. It is

CONTINUED - OVER

Legal Counsel to Mr. Adams
REF: LOS ANGELES TRIAL OF WILLIAM AND EMILY HARRIS

Also hard to understand how the Judge could find that neither Hearst or the Harrises had gone for approximately 1 1/2 years without indication of violence on their part. Even if the Judge was correct in this statement, which he was not, we can find no law supportive of the fact that a person who has avoided apprehension following the commission of a violent crime(s) must be assumed to have given up his violent propensities if the period following the commission of the violent crime exceeds 1 1/2 years.

Notwithstanding the above, there are numerous cases which may be cited in support of principle that law enforcement officers may enter a dwelling without a search warrant for the purpose of making an arrest if there is probable cause to believe that the person sought to be arrested is in the dwelling, and the existence of exigent circumstances demand that action be taken immediately as opposed to delaying the entry for purpose of obtaining a search warrant. See Mc Donald v. United States, 335 U.S. 451 (1948); Warden v. Hayden, 387 U.S. 294 (1967); Dorman v. United States, 435 F. 2d 385 (D.C. Cir. 1970); Salvador v. United States, 505 F. 2d 1348 (8th Cir. 1974); and United States v. Williams, 385 F. Supp. 1400 (E.D. Mich. 1974). Particular attention should be paid to a California case, People v. Hill, 528 P. 2d 1 (1974), which noted that police officers, under California statute, are justified in entering a closed residence in order to make an arrest if the officers have reasonable grounds to believe that the person to be arrested is inside the residence and if the officers have demanded admittance and explained the purpose for which the admittance is sought. See also, in this connection, Miller v. United States, 357 U.S. 301 (1958), set forth in Vol. 1, Manual of Instructions, Section 2, page 5a attached.

67C

Under the facts, as relayed to SA [redacted] by SA Schreiber, Judge Brandler's ruling of 3/1/76 is incorrect under both Federal and California law.

RECOMMENDATION:

None. For information.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAR 02 1976

TELETYPE

SF NR 741

NR-031 SF CODE

7:44PM NITEL URGENT MARCH 2, 1976, MJE

TO: DIRECTOR, FBI (7-15200)

ADIC, LOS ANGELES (7-1627)

FROM: SAN FRANCISCO (7-855) (P)

ATTN: GID 44 INTD; OFFICE OF LEGAL COUNSEL,

HEARNAP; OO: SAN FRANCISCO.

RE LOS ANGELES TELETYPE TO DIRECTOR, MARCH 1, 1976,
CAPTIONED AS ABOVE AND BUREAU TELEPHONE CALL (ADIC GALLAGHER)
TO SAN FRANCISCO (SAC BATES), MARCH 2, 1976.

RE: LOS ANGELES TRIAL OF WILLIAM AND EMILY HARRIS.

ON MARCH 2, 1976, ASSISTANT DISTRICT ATTORNEY DINO
FULGONI TELEPHONICALLY CONTACTED ASAC LAWRENCE G. LAWLER AND
ADVISED AS FOLLOWS:

HE WAS EXTREMELY PLEASED WITH THE TESTIMONY OF ALL AGENTS
DURING THE PRE-TRIAL MOTION TO SUPPRESS THE EVIDENCE. HE
HAS RECEIVED NUMEROUS PRESS INQUIRIES AS TO WHETHER OR NOT
IT WAS HIS OPINION THAT THE FBI ACTED IMPROPERLY BY ENTERING
288 PRECITA STREET, SAN FRANCISCO (RESIDENCE OF WILLIAM AND
EMILY HARRIS). HE HAS RESPONDED TO THESE INQUIRIES INDICATING
THAT HE FELT THAT THE AGENTS ACTED WELL WITHIN LEGAL LIMITS.

CARBON COPY DO NOT FILE

ENCLOSURE

7-15200-7453

b7c

DURING THE TRIAL, FULGONI ADVISED ASAC LAWLER THAT THE TESTIMONY OFFERED BY THE AGENTS ABSOLUTELY JUSTIFIED THE ENTRY MADE. FULGONI DID INDICATE, HOWEVER, THAT JUDGE BRANDLER WAS BROUGHT OUT OF RETIREMENT TO JUDGE THE HARRIS CASE AND THAT JUST PRIOR TO RETIREMENT HAD MADE SEVERAL JUDGMENTS CONCERNING THE ENTRIES OF RESIDENCES IN NARCOTICS CASES, A NUMBER OF WHICH WERE OVERTURNED SUBSEQUENT TO BRANDLER'S RETIREMENT. BASED ON THIS FACT, FULGONI FELT THAT BRANDLER WOULD BE EXTREMELY CAUTIOUS IN ADMITTING THE EVIDENCE BUT EVEN WITH THIS IN MIND, FULGONI FELT NO PROBLEM EXISTED.

XXXXXX
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XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

1 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- ☒ Deleted under exemption(s) b7D with no segregable material available for release to you.
- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
- ☐ Information pertained only to a third party. Your name is listed in the title only.
- ☐ Document(s) originating with the following government agency(ies) _____, was/were forwarded to them for direct response to you.

_____ Page(s) referred for consultation to the following government agency(ies); _____ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

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☐ For your information: _____

☒ The following number is to be used for reference regarding these pages:

7-15200-7653

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FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

LA 231

NR 011 LA PLAIN

MAR 01 1976

620 PM URGENT 03/01/76 SJS

TELETYPE

TO DIRECTOR (7-15200)
SAN FRANCISCO (7-855)
SACRAMENTO (7-203)

FROM LOS ANGELES (7-1627) (P)

ATTN: GID, INTD AND OFFICE OF LEGAL COUNSEL

HEARNAP, OO: SAN FRANCISCO.

LOS ANGELES TRIAL OF WILLIAM AND EMILY HARRIS.

IN CONNECTION WITH DEFENSE PRE-TRIAL MOTION CONCERNING
THE LEGALITY OF FBI ENTRY AT 288 PRECITA AND 625 MORSE, SAN
FRANCISCO, ASSISTANT DISTRICT ATTORNEY DINO FULGONI, LOS
ANGELES, CALIFORNIA, ADVISED AS FOLLOWS:

ON THIS DATE, LOS ANGELES SUPERIOR COURT JUDGE MARK
BRANDLER HAD RULED THE SEARCH OF 288-PRECITA, SAN FRANCISCO,
INVALID. JUDGE BRANDLER BASED THE RULING ON BELIEF THAT
EMERGENCY CONDITIONS DID NOT EXIST AT THE TIME OF INITIAL
ENTRANCE INTO THAT RESIDENCE BY BUREAU AGENTS. THAT BELIEF
IS BASED ON THE FOLLOWING:

(1) APPROXIMATELY ONE AND ONE-HALF YEARS HAD PASSED
WITHOUT INDICATION OF VIOLENCE BY HARRISES AND HEARST.

~~CARBON COPY DO NOT FILE~~

ENCLOSURE

7-15200-7053

PAGE TWO

LA 7-1627

(2) APPROXIMATELY THIRTY HOURS HAD PASSED BETWEEN INITIAL SIGHTING OF WILLIAM HARRIS AT THE PRECITA ADDRESS AND SUBSEQUENT ARREST. DURING THAT TIME NO EFFORT WAS MADE TO OBTAIN A SEARCH WARRANT.

67C

[REDACTED]

JUDGE BRANDLER HEARD ARGUMENTS CONCERNING LEGALITY OF THE 625 MORSE STREET, SAN FRANCISCO, SEARCH HOWEVER NO RULING HAS BEEN MADE TO DATE.

END

0

gen in + legal coun

SECTION 2. INTERVIEWS AND CONFESSIONS, SEARCHES AND SEIZURES

should wear their badges in such a manner as to display immediately their authority if challenged either by a police officer or a citizen.

- (9) The first conversation with a person under arrest is extremely important and will enable such person to judge the ability of the Agent at the time of the arrest. A person under arrest should be made to understand that Agents will demand prompt and absolute obedience. Unnecessary conversation should be avoided. It is the responsibility of the arresting Agent to inform a person under arrest of the charges against him. The language used in explaining the charge and offense should not be in greater detail than the language appearing in the body of the warrant. Prisoners have been known to use many ruses in an effort to destroy evidence or to effect an escape following their arrest. Prisoners should not be granted personal privileges immediately following arrest and immediate requests for water, cigarettes, and permission to go to the lavatory before being searched should be denied. If, due to the circumstances, prisoners are to be transported long distances, common sense and good judgment should dictate the personal privileges granted.

- (10) Where a person is arrested in his home, office, or place of business, he should not be permitted to move about but should be required to sit in a chair in the center of the room. If it is necessary to obtain clothing for a person under arrest, Agents should inquire as to the location of the clothing so that it may be obtained by an Agent. Such clothing should be carefully searched prior to delivery to the prisoner.

d. Forcible entry

- (1) In making an arrest with a warrant Agents have authority to break outer and inner doors of a dwelling if the entry is made in good faith and with reasonable cause to believe that the person to be arrested is within the premises. But notice must first be given of authority and purpose, with a demand for admission, and a refusal. *Miller v. U. S.*, 357 U. S. 301 (1958).

In making arrests without a warrant Agents have authority to break outer or inner doors of a dwelling, provided that (a) all the elements necessary to make a lawful arrest without a warrant are present, and (b) the same rule on notice of authority and purpose, and demand for admittance, as that described above for arrest with a warrant, is followed. A Federal officer making a forcible entry into a private dwelling to effect an arrest without a warrant must be prepared to show that there was probable cause to believe that the person to be arrested had committed a felony or was committing it, that there were reasonable grounds for believing that he was in the dwelling at the time, and that the emergency circumstances under which the arrest had to be made were such that there was no reasonable opportunity to apply for a warrant before making the arrest. *Smith v. U. S.*, 254 F. 2d 751, 766 (1958); *Johnson v. U. S.*, 334 U. S. 10, 14 (1948); *McDonald v. U. S.*, 335 U. S. 451, 455, 460 (1948); *Jones v. U. S.*, 357 U. S. 493 (1958). Every questionable situation must be resolved in favor of obtaining a warrant if the circumstances allow any practicable way of doing so.

In executing a search warrant an Agent has authority to break open any outer or inner door or window of a house, or any part of a house, or anything therein, if, after notice of his authority and purpose, he is refused admittance or when necessary to liberate himself or a person aiding him in the execution of the warrant. Title 18, USC, § 3109.

(1) There is, unfortunately, uncertainty in the law in regard to the making of the required announcement of identity and purpose, and demand for entrance, before breaking and entering to make the arrest or search in the situations described in (1) above. The

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAR 09/1976

TELETYPE

SF 935

NR 001 SF CODE

11:30 AM URGENT 3/9/76 MCC

TO: DIRECTOR, FBI (152007-15200)
SAC, NEWARK

FROM: SAC, SAN FRANCISCO (7-855) (P)

ATTENTION: LEGAL COUNSEL, INTD, GID, AND LATENT FINGERPRINT

HEARNAP, OO: SAN FRANCISCO

RE LOCAL TRIAL OF WENDY MASAKO YOSHIMURA
PRE-TRIAL HEARING RE YOSHIMURA BEGAN MARCH 8, 1976 IN ALAMEDA
COUNTY SUPERIOR COURT, OAKLAND, CALIFORNIA. CONTACT WITH ALAMEDA
COUNTY DISTRICT ATTORNEY'S OFFICE REVEALED THAT HEARING MARCH 8-12,
1976 WILL DEAL PRIMARILY WITH MOTIONS REGARDING LOCAL SEARCH
WARRANT ISSUED IN ALAMEDA COUNTY. DEPUTY DISTRICT ATTORNEY JEFFREY
HORNER ADVISED THAT HE ANTICIPATES TESTIMONY WILL BE REQUIRED FROM
FBI AGENTS REGARDING THE ARREST AND SUBSEQUENT SEARCHES AT 288
PRECITA AND 625 MORSE BEGINNING MARCH 15, 1976. HORNER ADVISED
THAT HE ANTICIPATES CALLING THE FOLLOWING AGENTS TO TESTIFY AS
INDICATED IN THIS MATTER: ASAC LAWLEE (SAN FRANCISCO), REGARDING
ARREST AND SEARCH AT 288 PRECITA; SA MONTE HALL (SAN FRANCISCO),
REGARDING ARREST AND SEARCH AT 288 PRECITA; SA JOHN SCHREIBER
(FBI HEADQUARTERS), REGARDING SEARCH 288 PRECITA; SA THOMAS J.
PADDEN (SAN FRANCISCO), REGARDING ARREST AND SEARCH AT 625 MORSE;
SA JASON B. MOULTON (SAN FRANCISCO), REGARDING ARREST AND SEARCH

Dep. A. ☒
Asst. Dir. ☒
Admin. ☒
Comp. Syst. ☒
Ext. Aff. ☒
Files & Com. ☒
Gen. Inv. ☒
Ident. ☒
Inspection ☒
Intell. ☒
Laboratory ☒
Plan. & Eval. ☒
Spec. Inv. ☒
Training ☒
Off. Cong. & Public Aff. ☒
Telephone Rm. ☒
Director Sec'y ☒

Wright
W. Smith
Mr. Coffey
Mr. [unclear]
Mr. [unclear]

[Handwritten initials]

1 cc
Rm. 7226
FILE

EX-116
REC-3 7-15200-715

23 MAR 16 1976

84 APR 13 1976

SF 7-855 PAGE TWO.

AT 625 MORSE STREET.

THE FOLLOWING PERSONNEL WILL BE REQUIRED TO OFFER TESTIMONY IN THE TRIAL TO BEGIN IMMEDIATELY FOLLOWING THE DISPOSITION OF THE PRE-TRIAL MOTIONS REGARDING YOSHIMURA: SA FRANK R. DOYLE (SAN FRANCISCO), REGARDING EVIDENCE AT 288 PRECITA; SA LARRY D. TERBUSH (SAN FRANCISCO), REGARDING EVIDENCE AT 401 IRVINGTON AND 625 MORSE STREET; SA JOHN J. REIKES (SAN FRANCISCO), REGARDING EVIDENCE AT 625 MORSE STREET; SA PATRICK J. WEBB (SAN FRANCISCO), REGARDING EVIDENCE AT 401 IRVINGTON; SA DANIEL J. WILSON (SAN FRANCISCO), RE EVIDENCE AT 625 MORSE STREET; SA HENRY L. GAIDIS (SAN FRANCISCO), RE EVIDENCE AT 288 PRECITA; SA JAMES BRUCE DOUGLAS (SAN FRANCISCO), RE EVIDENCE AT 288 PRECITA; SA CLYDE K. VENABLE (NEWARK), RE EVIDENCE OBTAINED FROM MRS. GAIL TRIMBLE, 201 DIXON DRIVE, WESTFIELD, NEW JERSEY; FINGERPRINT EXAMINER RONALD S. HURT (FBI HEADQUARTERS), RE LATENT FINGERPRINT EXAMINATION; FINGERPRINT EXAMINER JACK D. ROBINSON (FBI HEADQUARTERS), RE LIFTING AND IDENTIFYING LATENT PRINT 1721 WEST STREET, SACRAMENTO, CALIFORNIA; LATENT FINGERPRINT EXAMINER DON MCBRIDE (FBI HEADQUARTERS), RE LATENT FINGERPRINT INVESTIGATION CONDUCTED AT FARMHOUSE NEAR HONESDALE, PENNSYLVANIA, AS WELL AS IDENTIFICATION OF LATENTS AT

SF 7-855 PAGE THREE
SAN FRANCISCO ADDRESSES.

THIS MATTER WAS DISCUSSED WITH U.S. ATTORNEY JAMES L. BROWNING,
SAN FRANCISCO, ON MARCH 8, 1976. HE ADVISED THAT HE HAD NO
OBJECTION TO THE APPEARANCE OF THE ABOVE MENTIONED PERSONNEL.

SAN FRANCISCO AGENTS WILL APPEAR UACB.

SAN FRANCISCO WILL FOLLOW CLOSELY AND ADVISED BUREAU AND OTHER
INTERESTED OFFICES AS APPEARANCE DATES OF PERSONNEL BECOME MORE
DEFINITE.

BUREAU IS REQUESTED TO APPROVE APPEARANCE OF HEADQUARTERS AND
NEWARK PERSONNEL.

END.

UNITED STATES GOVERNMENT

Memorandum (Type or hand print.)

Assoc. Dir. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Insp. _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

TO : Section Chief *28/80*
C-G-T Section

DATE: 3/8/76

FROM : Bobby R. Gillham

COMMITMENT REPORT

SUBJECT: HEARNAP

Section Document *BH-1*

CC

01 Examiner/s
Symbol/s
20 Man Workdays

PF			
5			
3/1-5/76			
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No

CC

25 File # 7-15200
35 Court/Agency U.S. District Court
50 City & State San Francisco
California

05 Date/s
77 Testified

79 Reason: 01. Guilty Plea
02. Case Continued
03. Case Dismissed
04. Stipulation

05. Testimony Not Needed
06. Mistrial
07. _____

77 Miscellaneous Commitments: (MC)

79 Reason: 01. Lecture/Training (Others)
02. Training (Self)
03. Speech
04. Pretrial Conference

05. Field Examination of Evidence
06. Research/Data Acquisition
07. _____
08. Investigative Support
09. Communication Support

Results of Trial Pending

Prosecuting Attorney James Browning Defense Attorney F. Lee Bailey

Details/Unusual or Interesting Circumstances: 7-15200 -

Gillham testified during prosecution rebuttal that twenty to twenty-five documents entered in evidence contained the writing of Patricia Campbell Hearst. The writings on these documents described Hearst's feminists views, her radical political outlook (the "Tania Interview") and even contained apparent partial instructions for construction of a bomb. This evidence was considered important in rebuttal as they were prepared after the defendant's kidnaping and tend to portray her as a free-minded person as opposed to the defense contention that Hearst was at all times motivated by fear. Gillham furnished direct testimony for about thirty minutes and underwent cross-examination for about ten minutes. G 1975

8/4 APR 13 1976

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XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

1 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

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- ☐ Information pertained only to a third party. Your name is listed in the title only.
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☒ The following number is to be used for reference regarding these pages:

7-15200-7655

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UNITED STATES GOVERNMENT

Memorandum (Type or hand print.)

Assoc. Dir. _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

TO : Section Chief *DO*
C-G-T Section

DATE: *March 8, 1976*

FROM : *SA R. M. Ferguson*

COMMITMENT REPORT

SUBJECT: *HEARNAP*

Section *C-G-T*

CC

01 Examiner/s
Symbol/s
20 Man Workdays

05 Date/s
77 Testified

<i>PL</i>			
<i>5</i>			
<i>2/28-3/5/76</i>			
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No

CC

25 File # *7-15200*
35 Court/Agency *U.S. Dist Court*
50 City & State *SAN FRANCISCO, California*

79 Reason: 01. Guilty Plea
02. Case Continued
03. Case Dismissed
04. Stipulation

05. Testimony Not Needed
06. Mistrial
07. _____

77 Miscellaneous Commitments: (MC)

79 Reason: 01. Lecture/Training (Others)
02. Training (Self)
03. Speech
04. Pretrial Conference
05. Field Examination of Evidence
06. Research/Data Acquisition
07. _____
08. Investigative Support
09. Communication Support

Results of Trial *Guilty Verdict by jury - all counts*

Prosecuting Attorney *U.S. Attorney, Jas. Drowning* Defense Attorney *F. Lee Bailey*

Details/Unusual or Interesting Circumstances: *Testimony introduced to show that a code found in possession of defendant, Patricia Hearst, at the time of her arrest was same as other that held by other members of S.L.A. The purpose of this testimony was to prove that defendant was not being held against her will.*

7-15200 NOT RECORDED
MAY 10 1976

84 MAY 17 1976

1212AM
TELETYPE

Dep. Dir.	
Asst. Dir.:	
Adm. Serv.	
Crim. Inv.	
Ident.	
Intell.	
Laboratory	
Plan. & Insp.	
Spec. Inv.	
Training	
Legal Coun.	
Telephone Rm.	
Director's Sec'y	

NR 015 SC PLAIN

1212AM SENT MARCH 20, 1976 NITEL MARCH 19, 1976 WLW

TO DIRECTOR, FBI (91-56075) (7-15200)

SAN FRANCISCO (91-14357) (7-855)

FROM SACRAMENTO (91-7670)

ATTENTION: INTD, GID, AND LATENT FINGERPRINT SECTION

STEVEN FREDERICK SOLIAH, AKA; ET AL; CROCKER BANK, 5746

MARCONI AVENUE, CARMICHAEL, CALIFORNIA, APRIL 21, 1975;

BR: OC: SC.

HEARNAP; OO: SF.

RE SACRAMENTO URGENT TELETYPE TO BUREAU, MARCH 5, 1976.

RE LOCATION OF 1966 CHEVROLET STATION WAGON:

AS BACKGROUND, THIS VEHICLE PURCHASE FEBRUARY 26, 1975,

IN SACRAMENTO ONE DAY AFTER THE ROBBERY OF THE GUILD SAVINGS

AND LOAN ASSOCIATION, WHICH INVOLVED THREE HEARNAP SUBJECTS,

JAMES WILLIAM KILGORE, STEVEN SOLIAH, AND WILLIAM TAYLOR

HARRIS. THIS VEHICLE, AT THE TIME BEARING CALIFORNIA LICENSE

TDC 315, WAS SEEN BY WITNESSES AT THE SACRAMENTO GARAGE WHICH

HOUSED THE STOLEN 1968 PONTIAC FIREBIRD, WHICH WAS USED AS A

GETAWAY VEHICLE IN CAPTIONED ROBBERY. STATION WAGON'S RELATION-

SHIP TO THE GETAWAY VEHICLE CONSTITUTES IT AS BEING A CRITICAL

PIECE OF EVIDENCE.

20 MAR 26 1976

7-15200-3/20/76
1cc to
SID & D-5
Kyp

NOT RECORDED
170 APR 1 1976

84 APR 13 1976

PAGE TWO, SC 91-7670

ON MARCH 5, 1976, EXTENSIVE INVESTIGATION CONDUCTED BY SACRAMENTO AGENTS RESULTED IN LOCATION OF A GARAGE LOCATED AT 1409 F STREET, SACRAMENTO, WHICH HOUSED A TAN CHEVROLET STATION WAGON. IT WAS DETERMINED THAT THIS VEHICLE HAD BEEN IN THE GARAGE AND NOT MOVED SINCE APRIL, 1975. SEARCH WARRANT WAS OBTAINED AND VEHICLE REMOVED AND STORED IN LOCKED FBI COMPOUND, SACRAMENTO.

BUREAU LATENT FINGERPRINT EXAMINERS PROCESSED STATION WAGON FOR LATENT PRINTS AND HAVE IDENTIFIED SEVERAL LATENTS AS BELONGING TO STEVEN SOLIAH AND JAMES KILGORE. IT IS NOTED THAT SOLIAH, PRESENTLY ON TRIAL FOR CAPTIONED ROBBERY IN SACRAMENTO AND KILGORE ALSO CONSIDERED AS SUBJECT IN CAPTIONED MATTER, IS PRESENTLY A BUREAU FUGITIVE IN SAN FRANCISCO BOMBING MATTER.

INVESTIGATION HAS DETERMINED THAT OWNER OF GARAGE HAD RENTED SAME TO AN ART PETERSON ON MARCH 19, 1975, AND HAS NOT SEEN PETERSON SINCE THAT TIME. GARAGE OWNER HAS

PAGE THREE, SC 91-7670

RECEIVED MONEY ORDERS FOR \$15 ON A MONTHLY BASIS SINCE THAT TIME AND AS A RESULT THE RENT HAS BEEN KEPT CURRENT. ON INSTANT DATE, CONTACT MADE WITH GARAGE OWNER AND IT WAS DETERMINED THAT HE HAD RECEIVED THE MARCH PAYMENT IN TODAY'S MAIL FROM PETERSON. GARAGE OWNER PROVIDED ENVELOPE AND MONEY ORDER TO BUREAU AGENTS TO BE USED AS EVIDENCE AND BEING FORWARDED TO BUREAU LATENT FINGERPRINT SECTION, VIA SEPARATE COMMUNICATION.

^{Envelope}
ENVELOPE USED IN MAILING MONEY ORDER DESCRIBED AS A LEGAL SIZE ENVELOPE, ADDRESSED TO VIC TAVALARO, 1409 F STREET, SACRAMENTO, CALIFORNIA, POSTMARKED MARCH 17 P.M., 1976, BERKELEY, CALIFORNIA. IN UPPER LEFTHAND CORNER OF ENVELOPE, BUSINESS STAMP OF BANK OF AMERICA, BOX 5018, BERKELEY, CALIFORNIA 94705, IS BLOTTED OUT WITH INK AND THE WORD RENT WRITTEN BENEATH. THE ENCLOSED MONEY ORDER IS DESCRIBED AS A BANK OF AMERICA NATIONAL TRUST AND SAVINGS ASSOCIATION, BERKELEY, CALIFORNIA MONEY ORDER NUMBER 0553 04253 DATED 553 MARCH 17, 1976, MADE OUT TO VIC TAVALARO IN THE SUM OF

PAGE FOUR, SC 91-76

\$15. ON THE PURCHASER LINE IS PRINTED THE NAME PETERSON.
LOCATED AT THE BOTTOM OF THE CHECK ARE THE FOLLOWING
COMPUTER NUMBERS: 004253 1210-0035 05538-25000.

SAN FRANCISCO, AT BANK OF AMERICA, BERKELEY, CALIFORNIA.
CONDUCT INVESTIGATION IN EFFORTS TO DETERMINE IDENTITY OF
ART PETERSON AND/OR PURCHASER OF MONEY ORDER, NOTING THIS
INDIVIDUAL HAS KEPT UP PAYMENTS ON THE RENTAL GARAGE SINCE
CAPTIONED BANK ROBBERY AND ALSO NOTE THIS INDIVIDUAL MAY BE
JAMES KILGORE.

ARMED & DANGEROUS.

END.

OK

CC West

FBI

Date: 3/17/76

Transmit the following in _____

(Type in plaintext or code)

Via

AIRTEL

AIRMAIL

(Priority)

TO: DIRECTOR, FBI (ATTN.: GID, INTD, AND FBI LABORATORY)
(7-15200)

FROM: SAC, SAN FRANCISCO (7-855)

HEARNAP
OO: SFRE: KATHLEEN ANN SOLIAH, JOSEPHINE SOLIAH,
BONNIE J. WILDER, JAMES KILGORE

Re SF teletype, 3/16/76.

Enclosed for Bureau are six copies of LHM subcaptioned above, setting forth communique received from KGO-TV, San Francisco, 3/16/76, and one copy for LA. The communique was made available to SA [REDACTED] by [REDACTED], KGO.

The FBI Laboratory is requested to compare the signatures on page 3 of the communique with the signatures of those individuals that have been previously made available in HEARNAP and advise results. It is also requested that the printing on the first page of the communique be compared with known printing exemplars furnished in HEARNAP.

- 6 - Bureau (Encls. 6)
1 - Los Angeles (Encl. 1)
2 - San Francisco

LSB:LMR
(9)

Approved: _____

Sent _____

M

Per _____

Special Agent in Charge

84 APR 13 1976



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

San Francisco, California
March 16, 1976

RE: KATHLEEN ANN SOLIAH;
JOSEPHINE SOLIAH;
BONNIE J. WILDER;
JAMES KILGORE

On March 16, 1976, KGO - TV, San Francisco, California made available a xerox copy of a four-page communique hereinafter set forth. KGO advised that this communique had originally been received by KPFA, Berkeley, California, the same date.

7-15200 7656

ENCLOSURE

"Those who call us
terrorists wish to prevent
world public opinion from
discovering the truth about
us and from seeing the justice
on our faces. They seek to hide
the terrorism and tyranny of
their acts, and our own
posture of self-defense."

- Yasser Arafat

communiqué

from four

political fugitives

Let me tell you about the very rich. They are different from you and me. They possess and enjoy early, and it does something to them, makes them soft where we are hard, and cynical where we are trustful, in a way that, unless you were born rich, it is difficult to understand. They think, deep in their hearts, that they are better than we are because we had to discover the compensations and refuges of life for ourselves. Even when they enter deep into our world or sink below us, they still think that they are better than we are. They are different.

F. Scott Fitzgerald

We are the four people Patricia Hearst claims are out to kill her. This is an outrage and a calculated political insult. We are not gun-toting militarists who are motivated by carrying out personal vendettas. We are serious political people with much important work confronting us as we try to help build the revolutionary movement in this country.

We are greatly saddened and angered that our one-time sister, Patricia Hearst, has not shown the political integrity nor personal strength to stand up to the reactionary forces of her family and the U.S. government. Still, it is not our individual wrath she has to fear. The most frightful task she has to face is living with herself for the rest of her life knowing she has violated every principle in which she believed and betrayed every person who she once held dear.

We never knew this woman who now calls herself "Patricia Hearst". The woman we knew went by the code name "Pearl" and was a dear friend and political comrade. We never met her before May 17th, 1974 (the date of the SLA massacre) but whenever she spoke of the 6 slaughtered Symbionese Liberation Army members, it was always with love, respect, and pride. The idea that any of them ever tortured or sexually assaulted her is completely absurd. While with such a limited amount of revolutionary practice, Patricia could never have become the great leader the media made her out to be, she

fully comprehend and supported the need for the people to overthrow the U.S. ruling class. She worked diligently to improve her understanding of revolutionary theory. She made every effort to better herself personally so she could develop into a strong, self-reliant woman. She did these things because she believed it was absolutely the best way she could live her life. She was never forced or coerced to remain an underground revolutionary.

THE POLITICS OF THE TRIAL OF PATRICIA HEARST

The trial of one ruling class woman has been made into a huge media forum for counter-revolutionary propaganda. It represents a multi-faceted reactionary offensive by the combined political forces of the U.S. government and the Hearst Empire:

- It is an attack on revolutionary feminism. By repeatedly alluding to the notion that it was some form of "feminist" consciousness which enabled Patricia Hearst to reject her beliefs and actions while an SLA member, F. Lee Bailey and company are implying that collaboration with the government is some basic component of feminist ideology. Feminists throughout the country have rejected co-operation with the government in the strongest of terms. Many have gone to jail rather than give up the smallest tidbit of information about their sisters and brothers.

- It is an attack on people who help political fugitives. By encouraging Patricia to finger everyone she encountered while underground, the Hearst defense team is helping the government set up many people for long prison terms on a variety of trumped up charges.

A prime example is Steve Soliah who faces possible life imprisonment for a bank robbery he never committed. The message of Steve's case is clear - anyone who dares to assist people sought by the feds for political crimes, may themselves face many long years in some barred hellhole.

- It is an attack on all of us who dare to resist the tyranny of the people that rule this country. Every false account of sexual abuse, every fabricated tale of physical assault which Patricia Hearst utters is an attempt to slander not just the SLA and their associates, but all revolutionaries in the U.S. The people running this judicial media circus want all of us to look perverted and foolish. No one should believe that because they have differences of revolutionary ideology with the SLA, that their ideas of revolution are being legitimized by the events of the Patricia Hearst trial. No matter how little credibility Patricia Hearst may have, the amount of coverage her bizarre lies have been given have had a subtle effect of undermining the validity of all revolutionaries in many people's eyes.

We are presently being freely tossed about as part of this media spectacle--one of us is seen at San Simeon right before a bomb goes off, another of us is indicted for attempting to blow up a police car (the indictment coincidentally coming only a few days before her brother's trial starts). We are tired of this publicity game. But we are not demoralized. We are not ashamed. We are proud to be among those fighting against the U.S. empire. We are proud to have uncompromisingly supported people who have taken up arms against the enemy. We will continue the struggle no matter what the personal consequence may be.

"Let the jackals bray while they still may for the winds of time are fashioning a sound and a song that must finally and inexorably drown out their ugly voices!"

Ethel Rosenberg

A LUTA CONTINUA

VENCEREMOS

*Kathleen Ann Soliah
Josephine Soliah
Bonnie J. Wilder
Jim Kilgore*

We send special greetings of love, friendship and political solidarity to Bill and Emily Harris, Steve Soliah, Wendy Yoshimura and all our friends and family who have been harrassed, imprisoned or driven underground as a result of the FBI dragnet in this case.

FREE ALL POLITICAL PRISONERS!!

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAR 15 1976

TELETYPE

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Director Sec'y _____

SF NR 106

NR 021 SF CODE

5:13PM NITEL MARCH 15, 1976, MJE

TO: DIRECTOR, FBI (7-15200)

NEWARK (7-1105) (INFO)

FROM: SAN FRANCISCO (7-855) (P)

ATTN: INTD, GID.

HEARNAP, OO: SAN FRANCISCO.

RE LOCAL TRIAL OF WENDY MASAKO YOSHIMURA.

RE SAN FRANCISCO TELETYPE TO BUREAU, MARCH 11, 1976.

[REDACTED] ALAMEDA COUNTY DISTRICT ATTORNEY'S OFFICE, ADVISED THIS DATE THAT PRE-TRIAL HEARING REGARDING WENDY MASAKO YOSHIMURA HAS BEEN CONTINUED UNTIL WEDNESDAY, MARCH 23, 1976, AT WHICH TIME ALAMEDA COUNTY SUPERIOR COURT JUDGE PULICH WILL RULE ON OFFER OF PROOF WHICH HAS BEEN SUBMITTED THIS DATE REGARDING SEARCH WARRANTS ISSUED FOR SAN FRANCISCO ADDRESSES.

[REDACTED] ADVISED THAT HE ANTICIPATES ONCE THIS RULING HAS BEEN MADE, THE PRE-TRIAL HEARING WILL BE CONTINUED WITHOUT FURTHER DELAY AND MOVE DIRECTLY FROM PRE-TRIAL INTO THE TRIAL.

SAN FRANCISCO WILL CONTINUE TO FOLLOW CLOSELY AND ADVISE BUREAU AND INTERESTED OFFICES REGARDING APPEARANCE OF FBI PERSONNEL.

END.

84 APR 6 1976

EX-116 REC-3 7-15200-763
MAR 19 1976

MESSAGE RELAY

Transmit in ☒ Plaintext ☐ Code
Via Teletype the Attached

☐ Immediate
☒ Urgent
☐ Nitel

Date 3/17/76

From: Director, FBI

To: SACs: San Francisco

To: Legats:

HEARNAP

To: RUEADWW/ ☐ The President ☐ The Vice President ☐ White House Situation Room

RUEBWJA/ ☐ Attorney General ☐ Deputy Attorney General
☐ Attn: Analysis and Evaluation Unit

RUEBWJA/ ☐ Assistant Attorney General, Civil Rights DivisionRUEBWJA/ ☐ Assistant Attorney General, Criminal Division☐ Attn: Internal Security Section ☐ Attn: General Crimes SectionRUEABND/ ☐ Drug Enforcement AdministrationRUEANAT/ ☐ National Aeronautics & Space Admin.RUEBWJA/ ☐ Immigration and Naturalization ServiceRUEOIAA/ ☐ National Security Agency
(DIRNSA/NSOC (Attn: SOO))RUEBWJA/ ☐ U. S. Marshal's ServiceRUEBDUA/ ☐ Department of the Air Force (AFOSI)RUEBARE/ ☐ Naval Investigative ServiceRUEACSI/ ☐ Department of the ArmyRUEAUSA/ ☐ U. S. Postal Service (if Classified)
(Use RUEVDFOB if Unclassified)RUEAIIA/ ☐ Director, CIARUEHSE/ ☐ U. S. Secret Service (PID)RUEBJGA/ ☐ Commandant, U. S. Coast GuardRUEHC/ ☐ Secretary of StateRUEKJCS/ ☐ Director, Defense Intelligence AgencyRUEBJGA/ ☐ Department of Transportation
Attn: Director of SecurityRHEGOTN/ ☐ Energy Research and Development
AdministrationRUEATRS/ ☐ Department of TreasuryRUEOGBA/ ☐ Federal Aviation Administration☐ Attn: U. S. CustomsOther than ☐Listed ☐☐ Department of Treasury☐ Attn: Bureau of Alcohol☐ Tobacco & FirearmsFEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTIONAssoc. Dir. ☐Dep. AD Adm. ☐Dep. AD Inv. ☐Asst. Dir. ☐Admin. ☐Comp. Syst. ☐Ext. Affairs ☐Files & Com. ☐Gen. Inv. ☐Ident. ☐Inspection ☐Intell. ☐Laboratory ☐Legal Coun. ☐Plan. & Eval. ☐Spec. Inv. ☐Training ☐Telephone Rm. ☐Director Sec'y ☐☐ Top Secret☐ SecretClassification: ☐ Confidential☒ Unclassified

Subject (Text begins next page):

WILLIAM TELLER HARRIS;
EMILY MONTAGUE HARRIS; PATRICIA CAMPBELL HEARST -
VICTIM, KIDNAPING; BANK ROBBERY.

TELETYPE

Foreign Liaison Unit

☐ Route through for review☐ Cleared telephonically

84 APR 6 1976

MAIL ROOM ☐TELETYPE UNIT ☐

RECEIVED - 17-17
FBI LEGAL LONDON (7-13) (CUC)

ON 3/17/76 FBI LONDON ADVISED THAT:

MARCH 17, 1976, LEGAL ATTACHE [REDACTED]

LEGAL ATTACHE [REDACTED] AND LEGAL ATTACHE'S SECRETARY,

[REDACTED] AMERICAN EMBASSY, LONDON, ENGLAND, VIEWED THE TELEVISION PROGRAM "THE JAPANESE EXPERIENCE," PART THREE, ENTITLED "THE ADROT OF MOKE-KYO," AT THE OFFICE OF TRIDENT TELEVISION, LTD., LONDON, ENGLAND. DAVID L. SUMNER, DIRECTOR AND GENERAL MANAGER OF THE TELEVISION COMPANY, MADE THE FILM AVAILABLE AND WAS PRESENT DURING THE SHOWING.

THE PROGRAM IS A DOCUMENTARY IN THREE PARTS, PRESENTING THE PRODUCER'S PERSONAL VIEW OF JAPAN. THE FILM IS IN COLOR AND WAS MADE IN JAPAN IN OCTOBER 1973. THERE IS ONLY ONE SEQUENCE IN THE FILM WHERE NONORIENTALS APPEAR AND THIS OCCURS AT THE SOKKAGAKI CONVENTION IN JAPAN. THE SOKKAGAKI IS A BUDDHIST RIGHT-WING SECT AND THE COMMENTATOR INDICATED THAT OVER THREE THOUSAND FOREIGNERS WERE IN ATTENDANCE AT THE CONVENTION.

THE THREE FBI PERSONNEL AND MR. SUMNER SAW NO RESEMBLANCE WHATSOEVER TO ANYONE IN THE FILM WITH PATRICIA CAMPBELL HEARST.

ACCORDING TO MR. SUMNER, THE PRODUCER OF THE FILM INDICATED THAT FEMALES FROM THE WEST COAST OF THE UNITED STATES WERE IN ATTENDANCE AT THE SOKKAGAKI CONVENTION, AND IN THE FILM WERE

PAGE TWO

Caucasian females dressed in blue uniforms, wearing a patch with the initials "W.C."

MR. SUMNER RELATED THAT HIS COMPANY WOULD NOT MAKE THE FILM AVAILABLE UNLESS THEY WERE REQUIRED TO DO SO BY A COURT ORDER.

MR. SUMNER ADVISED THAT ON MARCH 8, 1976, HE RECEIVED A TELEPHONE CALL FROM ONE [REDACTED], A DENTIST IN AUSTRALIA. [REDACTED]

[REDACTED] SAW THE FILM IN BLACK AND WHITE, AND INDICATED TO MR. SUMNER THAT PATRICIA HEARST APPEARED THEREIN. MR. SUMNER STATED SINCE THAT DATE HE HAS RECEIVED A NUMBER OF CALLS FROM [REDACTED] REGARDING THIS MATTER. HE CONSIDERS [REDACTED] TO BE "RATHER ECCENTRIC."

MR. SUMNER RELATED THAT UNITED STATES ATTORNEY JAMES L. BROWNING OF SAN FRANCISCO, CALIFORNIA, CONTACTED JOHN FARLEY, THE EXECUTIVE PRODUCER, ENDEAVORING TO OBTAIN A COPY OF THIS FILM. MR. BROWNING WAS ADVISED THAT THE FILM WOULD ONLY BE MADE AVAILABLE IF THE COMPANY WAS ORDERED TO DO SO BY A COURT.

ADMINISTRATIVE:

REBUTEL 3/16/76.

IT IS RECOMMENDED THAT THE ABOVE INFORMATION BE DISSEMINATED TO U. S. ATTORNEY JAMES L. BROWNING, SAN FRANCISCO.

END

SAN FRANCISCO ADVISE USA BROWNING.
END.

Airtel

3/19/76

To: SAC, San Francisco (7-855)

From: Director, FBI (7-15200)

EMILY HARRIS; WILLIAM HARRIS, PLAINTIFFS, v.
CHARLES W. BATES, INDIVIDUALLY AND OFFICIALLY,
SAC, FBI, SAN FRANCISCO, CALIFORNIA, et al.
(U.S.D.C., C.D. CALIFORNIA)
CIVIL ACTION NO. CV 76 0034 ALS

1 - Intelligence
Div.

1 - Mr. Fahl

1 - Mr. Mintz

2 - Mr. Blunt

A review of Bureau Special Indices indicates that a Bill Harris who may be identical with William Harris, the plaintiff in captioned civil action, was overheard on San Francisco TESUR SF 3215-Rt, on 3/6/69.

San Francisco is requested to review its records to determine whether the Bill Harris overheard on the above telephone surveillance is identical with the plaintiff in this civil action, and to advise if and on what dates any additional overhears of the plaintiff took place. The requested information should be furnished to FBI Headquarters, Attention: Legal Counsel Division.

NOTE: Captioned plaintiffs have alleged that they are entitled to injunctive relief and damages from the named Federal and state defendants based on what the plaintiffs contend was a conspiracy to leak source information and "innuendo" to the media concerning criminal activities said to have been engaged in by the plaintiffs and other Symbionese Liberation Army (SLA) members. Additionally, the plaintiffs allege that they were the subjects of illegal electronic surveillances. Review of Bureau Special Indices reveals that a Bill Harris, not otherwise identified, was overheard on a San Francisco wiretap on 3/6/69.

MAILED 24

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EX-116

REC-3

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APR 19 1976

84 APR 6 1976

MAIL ROOM ☐

TELETYPE UNIT ☐

FILE DESCRIPTION

BUREAU FILE

SUBJECT Hearnap

FILE NO. 7-15200

SECTION NO. 135

SERIALS 7660

to

7715

GENERAL INVESTIGATIVE DIVISION
MEMORANDUM

This concerns the ongoing trial of Patricia Campbell Hearst in San Francisco, California, on 3/16/76.

Attached advises that Seymour Wayne, private investigator, testified for the defense that he had been employed by Lenny Bruce (hoodlum) in 1963 and that while in Bruce's home he observed cartons of methadrine, hypodermic needles, and medicine bottles with Doctor Fort's (expert prosecution witness) name on label as prescribing physician. Richard J. Essen (Miami attorney) testified that he had defended Lenny Bruce in Florida and California and that Bruce had told him he had obtained prescriptions for drugs from Doctor Fort. Doctor James Malcolm Stuppelbine testified that he had fired Doctor Fort for several irregularities in his management of a department of health clinic and Doctor Fort was untrustworthy and not to be believed.

Patricia Tobin (school associate of Hearst) testified that she did not know Hearst to have any radical views prior to her kidnaping. She indicated that Doctor Kozol's (psychiatrist who testified for prosecution) testimony that Hearst was a rebel looking for a cause was "totally false." Tobin indicated that the tape of her conversation with Hearst in jail had been edited and that the FBI had been the ones who edited the tape.*

Randolph A. Hearst (father of Patricia Hearst) testified that the prosecution doctors were incorrect in describing an acrimonious relationship between the parents and Patricia Hearst. He described her as bright, strong-willed, and "fun to be with." He testified that Fort had urged him to inform himself on plea bargaining and possibly bring attorneys Bailey and Browning together to negotiate some arrangement to avoid a public trial. J. Albert Johnson (defense attorney) testified that on several occasions Doctor Fort had told him that he was not sure of his final opinion regarding Hearst. Johnson indicated that during Hearst's first interview with Doctor Kozol, she left the room on three occasions sobbing heavily and trembling. Johnson testified concerning fees and travel expenses paid to the doctors who testified for the defense.

- 1 - Mr. Callahan
- 1 - Mr. Adams
- 1 - Mr. Ledvitz
- 1 - Mr. Mintz
- 1 - Mr. Moore

TFM:erg

APPROVED:	Comp. Sec.	Laboratory
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Dep. AD Inv.		Rec. Mgmt.
Asst. Dir.:		Spec. Inv.
Admin.		Training

SF 17161

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

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Director Sec'y	

NR 001 SF CODE

MAR 17 1976

10:17PM URGENT 3/16/76 RRH

TELETYPE

TO: DIRECTOR, FBI (7-15200)

LOS ANGELES

FROM: SAN FRANCISCO (7-655) (P)

ATTN: GID, INTD.

HEARNAP.

RE TRIAL OF PATRICIA HEARST, MARCH 16, 1976.

OUT OF THE PRESENCE OF THE JURY BAILEY MOVED TO ADMIT TESTIMONY BY MARGARET SINGER, A LETTER BY THE AMERICAN ACADEMIC ASSOCIATION INDICATING IT HAD DROPPED DOCTOR FORT FROM MEMBERSHIP FOR REASON OF HIS FAILURE TO PAY DUES AND THE COPY OF A JUDGMENT IN A SUIT INVOLVING THE UNITED NATIONS INVOLVING DOCTOR FORT. CARTER DID NOT RULE THE ADMISSIBILITY OF THESE ITEMS AT THE TIME BUT INDICATED THAT HE WOULD STUDY THEM FURTHER. CARTER HAS PREVIOUSLY RULED ADMISSIBLE DOCTOR SINGER'S TESTIMONY.

SEYMOUR WAYNE, A PRIVATE INVESTIGATOR, TESTIFIED FOR BAILEY THAT HE HAD BEEN EMPLOYED BY LENNY BRUCE IN 1963 TO INVESTIGATE JURORS REGARDING A CRIMINAL MATTER WHICH HAD RESULTED IN FORT'S CONVICTION ON NARCOTICS CHARGES. WHILE IN BRUCE'S HOME WAYNE OBSERVED CARTONS OF METHADRINE,

34 APR 6 1976

SEX

SF 7-555

HYPODERMIC NEEDLES, AND MEDICINE BOTTLES WITH DOCTOR FORT'S NAME ON THE LABEL AS A PRESCRIBING PHYSICIAN. WAYNE TESTIFIED OVER HEARSAY OBJECTION THAT BRUCE HAD CALLED DOCTOR FORT IN HIS PRESENCE AND, WHILE THE PHONE WAS RINGING, CUFFED HIS HAND OVER THE RECEIVER AND TURNED TO WAYNE SAYING, "THIS GUY'S A REAL BALL BUSTER. HE REALLY KNOWS HOW TO FUCK UP PSYCHIATRIC TESTIMONY IN CASES".

WAYNE TESTIFIED (CONTRARY TO EARLIER TESTIMONY BY FORT THAT HE HAD NEVER BEEN TO LENNY BRUCE'S HOME) THAT HE MET FORT IN BRUCE'S HOUSE. FORT WAS LEAVING. LENNY BRUCE INTRODUCED THEM. THEY HAD A SHORT CONVERSATION WHEREIN DOCTOR FORT INDICATED THAT HE THOUGHT COURT PSYCHIATRISTS WERE "POMPOUS ASSES".

ON CROSS EXAMINATION WAYNE INDICATED HE HAD SEEN DOCTOR ROTTENBERG'S NAME ON THE LABELS OF SOME OF THE BOTTLES.

RICHARD J. ESSEN, ATTORNEY, WHO RESIDES IN MIAMI, TESTIFIED THAT HE HAD WORKED WITH LENNY BRUCE IN DEFENSE OF CRIMINAL CHARGES IN FLORIDA AND CALIFORNIA. HE TESTIFIED THAT LENNY BRUCE HAD TOLD HIM THAT HE HAD OBTAINED PRESCRIPTIONS

SF 7-355

FOR DRUGS FROM DOCTOR FORT.

ON ONE OCCASION HE VISITED LENNY BRUCE'S APARTMENT, SAW BLOOD ON MIRRORS AND WALLS AND SAW NUMEROUS USED HYPODERMIC NEEDLES. LENNY BRUCE SAID HE HAD HAD QUITE A PARTY THE PREVIOUS EVENING. ESSEN TESTIFIED THAT LENNY BRUCE WAS NAKED IN BED WITH A FEMALE AT THE TIME OF THIS CONVERSATION. BRUCE THEN LEFT THE BED AND HELD A NUMBER OF PAPERS UP TO ESSEN SAYING THAT AS LONG AS HE WAS ABLE TO GET THESE PRESCRIPTIONS FROM JOEL FORT HE WOULD HAVE DRUGS AVAILABLE.

ON CROSS EXAMINATION ESSEN ACKNOWLEDGED THAT ALL HE KNEW ABOUT FORT'S ALLEGEDLY HAVING PRESCRIBED DRUGS FOR LENNY BRUCE WAS WHAT LENNY BRUCE TOLD HIM. ESSEN ACKNOWLEDGED THAT IT WAS POSSIBLE THAT LENNY BRUCE HAD LIED TO HIM.

DOCTOR JAMES MALCOLM STUPPELBINE TESTIFIED THAT HE HAD FIRED DOCTOR FORT FOR SEVERAL IRREGULARITIES IN HIS MANAGEMENT OF A DEPARTMENT OF HEALTH CLINIC AND FOR OTHER ACTIVITIES. HE TESTIFIED REGARDING DOCTOR FORT'S REPUTATION FOR TRUST AND VERACITY AND DOCTOR FORT WAS UNTRUSTWORTHY AND NOT TO BE BELIEVED.

PATRICIA TOBIN TESTIFIED THAT SHE WAS A LONG TIME FRIEND OF PATRICIA HEARST, DID NOT KNOW HER TO HAVE, PRIOR TO HER KIDNAPPING, ANY POLITICAL VIEWS, ANY FEMINIST VIEWS, OR ANY RADICAL VIEWS. REGARDING THE TAPE RECORDING MADE OF HER VISIT TO PATRICIA HEARST AT THE JAIL TOBIN TESTIFIED THAT HEARST'S SPEECH SEEMED SLOW AND DELAYED. SHE SEEMED WITHOUT VITALITY AND DISORIENTED AND SOME OF HER ANSWERS WERE NON-RESPONSIVE. ON DIRECT EXAMINATION SHE INDICATED THAT SHE NEVER HEARD MISS HEARST MAKE ANY COMMENT ABOUT USING A REVOLUTIONARY FEMINIST STATEMENT. SHE INDICATED THAT DOCTOR KOZOL'S TESTIMONY THAT HEARST WAS A REBEL LOOKING FOR A CAUSE WAS "TOTALLY FALSE".

ON CROSS EXAMINATION REGARDING HEARST'S STATEMENT AND THE TRANSCRIPT THAT SHE DIDN'T "WANT TO HAVE THE BAIL THING WHERE I'M A PRISONER IN MY OWN HOME", HEARST SUBSEQUENTLY STATED AS WAS NOT REFLECTED IN THE TAPE THAT "MY PARENTS DON'T EITHER". TOBIN INDICATED THAT THE TAPE OF HER CONVERSATION WITH MISS HEARST IN JAIL HAD BEEN EDITED.

SF 7-335

WHEN BROWNING ASKED HER ON CROSS EXAMINATION WHY SHE DIDN'T POINT THIS FACT OUT TO THE FBI SHE ALLEGED THAT "IT SEEMED OBVIOUS" THAT THE FBI HAD BEEN THE ONES WHO EDITED THE TAPE.

CARLEN R. LEVY, ATTORNEY, TESTIFIED HE HAD BEEN CO-COUNSEL WITH MR. ASHMAN DURING THE CRIMINAL PROSECUTION OF LENNY BRUCE ON NARCOTICS CHARGES IN 1963. HE TESTIFIED THAT PRIOR TO A HEARING REGARDING LENNY BRUCE HE HAD DISCUSSED WITH DOCTOR FORT HIS TESTIMONY IN THAT CASE AFTER WHICH DOCTOR FORT, AT SOME LENGTH, INDICATED WHAT QUESTIONS AND CROSS EXAMINATION PROCEDURES LEVY SHOULD USE IN EXAMINING PROSECUTION PSYCHIATRY.

LEVY TESTIFIED THAT HE SAW IN BRUCE'S HOME MEDICINE BOTTLES WITH THE NAMES ROTTENBERG AND FORT ON THE LABELS AS PRESCRIBING PHYSICIANS. IN MIAMI HE SAW SUCH BOTTLES CONTAINING MEDICATION WITH DOCTOR JOEL FORT'S NAME ON THE LABEL. LEVY WAS REFERRED BY BAILEY TO THE TRANSCRIPTS OF THIS CASE WHEREIN FORT INDICATED THAT HE HAD NEVER PRESCRIBED MEDICINE FOR LENNY BRUCE.

DOCTOR A. NICHOLAS GROTH, EMPLOYED BY THE COMMONWEALTH

PAGE SIX

SF 7-355

MASSACHUSETTS

OF MASSACHUSETTS IN THE DIVISION OF LEGAL MEDICINE TESTIFIED THAT IN LATE SEPTEMBER HE HAD OBSERVED IN AN OFFICE NEAR DOCTOR KOZOL'S A PHOTOGRAPH OF CATHERINE HEARST IN A NEWSPAPER. KOZOL IN CONVERSATION WITH GROTH A WHILE LATER SAID THAT "THE HEARSTS ARE VENAL AND DISGUSTING PEOPLE", "MRS. HEARST IS A WHORE", "WHAT IS SHE TRYING TO DO, LOOK LIKE ZSA-ZSA GABORE? AT LEAST ZSA-ZSA GABORE MAKES NO PRETENSIONS ABOUT HER INTEREST IN MONEY".

DOCTOR KOZOL HAD PREVIOUSLY EMPHATICALLY DENIED ON THE STAND MAKING ANY SUCH STATEMENTS. GROTH TESTIFIED THAT WHEN KOZOL FIRED HIM HE ASKED FOR A PAYROLL OF SICK LEAVE TO LOOK FOR A JOB AND DOCTOR ~~PORT~~ ^{KOZOL} SAID THAT WOULD BE DISHONEST. GROTH TESTIFIED THIS AMUSED HIM BECAUSE AT THAT TIME THERE WAS AN EMPLOYEE OF THE INSTITUTION WHICH DOCTOR KOZOL DIRECTED WHO WAS ON VACATION IN ROME ON SICK LEAVE.

HE TESTIFIED WITHOUT OBSERVATION THAT HE HAD HEARD THAT DOCTOR ~~PORT~~ ^{KOZOL} HAD GONE TO SAN FRANCISCO ON SICK LEAVE.

GROTH TESTIFIED THAT HE HAD LOST NO PAY AS A RESULT OF HIS DISPUTE WITH DOCTOR KOZOL AND HAD CONTINUED HIS EMPLOYMENT

PAGE SEVEN

SF 7-659

BY THE COMMONWEALTH OF MASSACHUSETTES IN ANOTHER FACILITY
AT HIS REQUEST.

HE TESTIFIED THAT HE HAD DISAGREED WITH KOZOL'S METHOD
OF EXAMINATION IN THAT HE IS SOMETIMES ACCUSATORY, DEMANDING,
AND INTIMIDATING.

ON CROSS EXAMINATION GROTH ACKNOWLEDGED THAT HE FEELS
THAT KOZOL TREATED HIM UNFAVORABLY REGARDING THE ATTEMPTED
SUSPENSION. HE DENIED THAT HE HAD EVER LIED ABOUT TRANSPORTING
A PATIENT. HE STATED THAT AT A HEARING REGARDING THE MATTER
HE ACKNOWLEDGED THAT HE HAD TRANSPORTED A FORMERLY COURT
COMMITTED PATIENT WHO HAD RETURNED TO THE CENTER ON A
VOLUNTARY ADMISSION BASIS AT GROTH'S REQUEST.

RANDOLPH A. HEARST TESTIFIED THAT HE HAD HEARD THE
SLA COMMUNIQUE AND MADE EFFORTS TO SATISFY THE DEMANDS OF
THE CAPTORS. HE STATED THAT PROSECUTION DOCTORS WERE
INCORRECT IN DESCRIBING AN ACRIMONIOUS RELATIONSHIP BETWEEN
THE PARENTS AND PATRICIA HEARST. HE DESCRIBED HER AS A
BRIGHT, STRONGWILLED PERSON, "FUN TO BE WITH".

PAGE EIGHT

SF 7-699

HE TESTIFIED THAT FORT HAD URGED HIM TO INFORM HIMSELF ON PLEA BARGAINING AND POSSIBLY BRING BAILEY AND BROWNING TOGETHER WITH PERHAPS A THIRD PARTY TO NEGOTIATE SOME ARRANGEMENT TO AVOID A PUBLIC TRIAL BECAUSE HE FELT A PUBLIC TRIAL TO BE BAD FOR PATRICIA AS SHE WAS DEPRESSED AND RUN DOWN.

HEARST TESTIFIED THAT HE HAD SAID TO FORT, "WOULD YOU RATHER I NOT TELL BAILEY AND JOHNSON" ABOUT FORT'S SUGGESTION. FORT INDICATED TO HEARST THAT HE WOULD RATHER HEARST NOT SO ADVISE THEM.

ON CROSS EXAMINATION HEARST STATED THAT HE HAD NEVER SPOKEN WITH JAMES L. BROWNING, JR., AND HAD NEVER BEEN IN THE SAME ROOM WITH HIM OTHER THAN THE COURTROOM. HEARST ACKNOWLEDGED THAT FORT HAD NOT GIVEN HIM THE IMPRESSION THAT BROWNING HAD SENT FORT OUT THERE. DOCTOR FORT DID NOT SUGGEST TO HEARST THAT BROWNING WANTED TO BE A FEDERAL JUDGE.

J. ALBERT JOHNSON TESTIFIED THAT HE DID NOT GET ANY DETAILED STORY FROM THE DEFENDANT REGARDING HER ACTIVITIES PRIOR TO THE TIME SHE WAS EXAMINED BY COURT APPOINTED PSYCHIATRIST.

JOHNSON TESTIFIED THAT ON SEVERAL OCCASIONS FORT HAD TOLD HIM THAT HE WAS NOT SURE AS TO WHAT HIS FINAL OPINION WOULD BE REGARDING HEARST. ON ONE OCCASION HE INDICATED HE HAD "GRAVE DOUBTS" THAT HE COULD TESTIFY FOR THE PROSECUTION. JOHNSON ON THAT OCCASION EXPLAINED TO FORT THAT THE COURT HAD RESTRICTED EACH SIDE TO THREE EXAMINING PSYCHIATRISTS AND THE DEFENSE PSYCHIATRISTS HAD ALREADY BEEN SELECTED. JOHNSON TESTIFIED THAT FORT HAD SAID TO HIM, "I SINCERELY BELIEVE HER WHEN SHE STATES SHE IS AFRAID OF THE HARRISES, EVEN NOW". JOHNSON TESTIFIED THAT FORT HAD SAID TO HIM THAT PATRICIA HEARST HAD BEEN COMPLETELY CANDID DURING HER INTERVIEWS WITH HIM.

HE INDICATED THAT DURING HEARST'S FIRST INTERVIEW WITH DOCTOR KOZOL SHE LEFT THE ROOM ON THREE OCCASIONS SOBING HEAVILY AND TREMBLING. JOHNSON TOLD KOZOL THAT HE FELT HIS METHODS WERE DEPLORABLE AND KOZOL SAID TO JOHNSON THAT HE WOULD BE THE BEST JUDGE OF WHETHER THE EXAMINATION COULD CONTINUE AND THAT THE EXAMINATION WOULD IN FACT CONTINUE BECAUSE HE HAD A COURT ORDER SO DIRECTING.

HE TESTIFIED THAT KOZOL HAD REFUSED TO HAVE A TAPE RECORDER IN THE EXAMINATION ROOM DESPITE JOHNSON'S SUGGESTION THAT THIS WOULD ALLEVIATE ANY PROBLEMS OF CREDIBILITY OR MISSTATEMENTS AS TO WHAT HAD OCCURRED DURING THE INTERVIEW. ON CROSS EXAMINATION JOHNSON ACKNOWLEDGED THAT HE HAD ADVISED PATRICIA HEARST THAT DOCTOR KOZOL WAS RETAINED BY AN ADVERSE PARTY. HE ACKNOWLEDGED THAT HE HAD NEVER COMPLAINED TO BROWNING REGARDING FORT'S APPROACH TO THE HEARSTS ON THE ISSUE OF AN OUT-OF-COURT SETTLEMENT OF THE CASE. HE INDICATED THAT HE HAD POINTED OUT HIS OBJECTIONS TO DOCTOR FORT BUT DENIED THAT HE HAD EVER SAID TO FORT THAT THERE WAS ONLY ONE PROBLEM WITH FORT'S ACTION AND THAT WAS THAT HE DIDN'T WANT THE DEFENDANT TO KNOW THERE WERE OTHER ATTORNEYS INVOLVED IN THE CASE. HE DENIED HAVING SAID TO SANCROFT THAT "THE REASON I'M SPENDING SO MUCH TIME WITH DOCTOR FORT IS THAT I'M TRYING TO SWING HIM".

HE TESTIFIED THAT DOCTOR WEST WAS RECEIVING NOTHING FROM THE DEFENSE OTHER THAN [REDACTED] DOCTOR WEST HAD

PAGE ELEVEN

SF 7-855

IN FACT RECEIVED TRAVEL EXPENSES IN THE CASE. JOHNSON ALSO TESTIFIED THAT WEST HAD RECEIVED CERTAIN GOVERNMENT CONSULTATION FEES WHICH HE WAS ENTITLED TO RECEIVE FROM THE COURT.

REGARDING DOCTOR ORNE, JOHNSON WAS AWARE THAT AN AGREEMENT HAD BEEN MADE TO PAY FOR DOCTOR ORNE'S TRAVEL EXPENSES AND TO PAY HIM SUCH FEES AS WERE NORMAL AND USUAL FOR TESTIFYING PSYCHIATRISTS IN SUCH CASES.

END.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SF NR 537

NR 534 SF CODE

FFR 25 1976

TELETYPE

10:55 PM NITEL FEBRUARY 24, 1976, MJE

TO: DIRECTOR, FBI (7-15200)

FROM: SAC, SAN FRANCISCO (7-655)

REARNAF

RE: EXPERT TESTIMONY FOR GOVERNMENT REBUTTAL CASE.

USA JAMES BROWNING INDICATED FEBRUARY 24, 1976 THAT THE FOLLOWING EXPERTS WOULD BE NEEDED TO TESTIFY IN THE GOVERNMENT'S REBUTTAL CASE REGARDING THE MATTERS INDICATED.

BOB GILLAM, DOCUMENT ANALYSIS SECTION, FBI LABORATORY, REGARDING HANDWRITING ON THE FOLLOWING ITEMS: Q2096, A LIST OF NAMES AND ADDRESSES, Q2126, WRITING ON A NEWSPAPER CLIPPING, Q2126, HANDWRITING ON THE BACK OF A TYPEWRITTEN PAGE, Q2007, CASING REPORT ON BANK OF AMERICA, SACRAMENTO, Q2160, NOTEBOOK WITH LIST OF BOOKS AND SHOPPING ITEMS, Q2056, LIST OF GOVERNMENT AGENCIES, Q2192 AND Q2194, MONEY ORDERS, Q2165, A YELLOW SPIRAL NOTEBOOK, Q2096, MAP AND RESTAURANT DIAGRAM, Q2165, DOCUMENT RE SEXISM IN SLA, Q2162, A SHEET OF PAPER FROM A TABLET WITH NOTATIONS REGARDING THE BOLIVIAN CONSULATE, Q2124, A FOLDER ON "GENERAL SELL INFO", Q2124, A FOLDER RE "FUTURE ACTIONS".

CRYPTOGRAPHIC SPECIALIST RONALD FURGERSON, WHO

Assoc. Dir. _____
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Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

Anthony
Hester
Johnson
Boyd
Ferguson

EX-116

REC-3

7-15200-7661

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8-15-93 BY 283
TECHNICAL

MAR 15 1976

84 APR 13 1976

PRICE -
(Ink print)

LOCATED A CARD, Q2205, WHICH WAS FOUND IN HEARST'S WALLET.

THE FINGERPRINT EXPERTS WHO IDENTIFIED HEARST'S PRINTS
ON Q-205, THE "BAKERY" LIST.

BROWNING REQUESTED THE PRESENCE OF THESE PERSONS FOR
A CONFERENCE ON SUNDAY AFTERNOON, FEBRUARY 29, 1976.
END.

Copy made for Identification Div.

Q.M. 2-25-76; TFM:mg

CC - Lab

FEDERAL BUREAU OF INVESTIGATION

Washington, D. C. 20537



REPORT

of the

IDENTIFICATION DIVISION

LATENT FINGERPRINT SECTION

YOUR FILE NO.

FBI FILE NO.

LATENT CASE NO.

7-355

7-15200

A-84715

March 16, 1976

TO:

SAC, San Francisco

RE:

HEARDAP

REFERENCE:

EXAMINATION REQUESTED BY:

SPECIMENS:

Specimens received in LFPS 3/9/76

San Francisco

Fingerprints and palm prints of Michael

Alexander Bortin, FBI #710110G

EX-116

REC-3

7-15200-7662

All latent prints previously reported and
remaining unidentified in captioned case not identical
fingerprints or palm prints of Bortin.

Specimens enclosed.

5 MAR 18 1976

MAILED 14

MAR 16 1976

FBI

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir. _____
Admin. _____
Comp. Syst. _____
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Director Sec'y _____

Enc. (5)

1 - Los Angeles (7-1627)

2 - Sacramento (91-7670) = (1 - 7-203)

1 - SA Elroy Anthony, Rm 5048 JEH

DFM:vls

(8)

Clarence M. Kelley, Director

THIS REPORT IS FURNISHED FOR OFFICIAL USE ONLY

TELETYPE UNIT ☐

84 APR 6 1976

FEDERAL BUREAU OF INVESTIGATION
LATENT FINGERPRINT SECTION WORK SHEET

Recorded: 3/11/76 8:11 a.m. ji

Reference No: 7-855

Received: 3/9/76

FBI File No: 7-15200

Latent Case No: A-84715

Answer to: SAC, San Francisco

Examination requested by: Addressee

Copy to: 2-SAC, Sacramento (91-7670) (7-203) 1-SAC, LOS ANGELES (7-1627)

RE: HEARNAP

Date of reference communication: Specimens received LFPS 3/9/76

Specimens: Fingerprints and palm prints submitted for:
MICHAEL ALEXANDER BORTIN, FBI# 710 110 G

Result of examination:

Examination by: McBride

Evidence noted by:

LAT FPTS ENCLD - NOT F FPTS + PMS BORTIN.
LAT PMS ENCLD - NOT F PMS BORTIN.

3-10-76

1-1/2 envelopes 5 → 7 per comp. Pmts BORTIN - all
interstitial offices prev advised

Specs to photo

Specs Encl'd SF - not on standard cards

1 CC - SA LEROY ANTHONY, Room 5048 JCH

Examination completed 8:20 AM 3-12-76
Time DateDictated 3-12-76
DateAmcd
3/16/76
JCH
1-6/76

XXXXXX
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XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET3

Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

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- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
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7-15200-7663

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FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAR 15 1976

TELETYPE

Assoc. Dir.	_____
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Director Sec'y	_____

SF 097

NR 004 SF CODE

3:25 PM URGENT 3/15/76 MCC

TO: DIRECTOR, FBI (7-15200)

FROM: SAC, SAN FRANCISCO (7-855) (P)

ATTN: INTD, GID

HEARNAP, OO: SAN FRANCISCO

RE LOOK-ALIKE FOR PATRICIA CAMPBELL HEARST

USA JAMES L. BROWNING, SAN FRANCISCO, CALIFORNIA, REQUESTED BUREAU PERSONNEL REVIEW TV PROGRAM "JAPANESE EXPERIENCE" PART III, ENTITLED "THE ABBOT OF HO KO KYO" FOR LOOK-ALIKE FOR PATRICIA CAMPBELL HEARST. FILM AVAILABLE THROUGH MR. G. WORD-THOMAS, TELEPHONE 532-38283, YORKSHIRE T.V., LEEDS, ENGLAND. FILM ALLEGEDLY DEPICTS WHITE FEMALE IDENTICAL TO PATRICIA HEARST WILDLY WAVING ARMS IN SCENE IN WHICH CAMERA PANS LARGE GROUP OF JAPANESE YOUTHS. SOURCE OF THE ABOVE CITING IS BBC VIEWER IN AUSTRALIA. SOURCE HAS EXPENDED LARGE AMOUNT OF PERSONAL MONEY TO PURSUADE GOVERNMENT OFFICIALS TO TAKE THIS CITING SERIOUSLY.

EX-116 REC-3 7-15200-1664

END.

5 MAR 19 1976

Re: J. L. Browning

3-15-76 JLB/ppl

84 APR 6 1976 External Affairs

6-E

XXXXXX
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XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET2

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7-15200-7665

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XXXXXXFEDERAL BUREAU OF INVESTIGATION
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- ☐ Information pertained only to a third party. Your name is listed in the title only.
- ☐ Document(s) originating with the following government agency(ies) _____, was/were forwarded to them for direct response to you.

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- ☒ The following number is to be used for reference regarding these pages:

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GENERAL INVESTIGATIVE DIVISION
EARNAP

This concerns the ongoing trial of Patricia Campbell Hearst in San Francisco, California, on 3/10/76.

Attached San Francisco teletype advises of the continuing cross-examination of Doctor Joel Fort (physician, criminologist, and prosecution witness) by defense attorney F. Lee Bailey. Bailey asked Fort whether or not he knew that Mimi Swanton (Hearst school associate) had financial interest in Steven Weed's book (Steven Weed is previous fiance of Patty Hearst). Fort indicated that he did not know. Mimi Swanton had previously indicated to Fort that Hearst was "amoral," willing to lie to get out of trouble, and not concerned with obeying laws she did not agree with.

Fort, in his study of 35 kidnaping cases, recalled case of a 14-year-old girl who had been kidnaped, horribly abused, and forced to commit felonies. Fort pointed out that this girl had attempted to escape on one occasion and had, on one occasion, hidden the gun of one of her captors. Fort testified that he had concluded that the SLA tapes made by Patricia Hearst "probably" represented her true feelings. Fort admitted that he had not sought the assistance of a speech analyst to confirm or deny authorship and that he had not called for school papers written by Hearst stating that he was not aware of any body of scientific experts who can claim to determine with scientific accuracy the authorship of papers based on strict scientific analysis.

Concerning Hearst changing her name to Tania, Fort testified that name changing generally signified (1) dissatisfaction with prior name and (2) allegiance or alliance with a group such as name changes which occur in converts to the Black Muslim Religion. Fort admitted his father had changed his Russian name "Freedman" to Fort upon immigration to this country.

Fort testified that he had never told Mr. and Mrs. Hearst that USA Browning wanted to be a Federal judge. USA Browning, on redirect examination, questioned Doctor Fort regarding period of residence at Herrick Hospital 20 years previous thus opening the door for recross-examination by Bailey. Bailey, on recross-examination, explored in detail the criticisms of Doctor Fort made by medical personnel at Herrick Hospital during his residency. After recross-examination of Doctor Fort, Doctor Harry Kozol was called to testify by the Government (Kozol is long-time director of a center for criminally dangerous sex offenders in Bridgewater, Massachusetts). Kozol listed his extensive qualifications and experience and listed materials he had examined regarding this case.

Court to reconvene 10:00 a.m., 3/11/76.

1 - Mr. Callahan 1 - Mr. Mintz
1 - Mr. Adams 1 - Mr. Moore
1 - Mr. Leavitt

TFM:erg
TFM

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SF NR 957

NR 024 SF CODE

11:59AM NITEL 3/10/76-RRH

MAR 11 1976

TELETYPE

TO: DIRECTOR, FBI
SAC, LOS ANGELES AA VIA FBIHQ--
FROM: SAC, SAN FRANCISCO (7-855)
ATTN: INTO AND GID

HEARNAP

RE: TRIAL OF PATRICIA HEARST, MARCH 10, 1976.

CONTINUING CROSS EXAMINATION OF DOCTOR JOEL FORT,
BAILEY ASKED FORT WHETHER OR NOT HE KNEW THAT MIMI SWANTON
HAD A FINANCIAL INTEREST IN WEED'S BOOK. FORT INDICATED
THAT HE HAD NOT KNOWN THAT AND STILL DID NOT KNOW THAT,
UNLESS BAILEY WAS TELLING HIM SO. FORT HAD PREVIOUSLY
INDICATED THAT MIMI SWANTON HAD CATEGORIZED MISS HEARST
AS "AMMORAL", WILLING TO LIE TO GET OUT OF TROUBLE, AND
NOT CONCERNED WITH OBEYING LAWS SHE DID NOT AGREE WITH.

BAILEY ASKED FORT ABOUT ANOTHER CONVERSATION IN
DOCTOR WEST'S NOTES WHICH WERE REFERRED TO BY DOCTOR
FORT WHERE SWANTON HAD INDICATED THAT SHE "USED TO BE
A SHOPLIFTER", AND HEARST REPLIED, "I WOULD NEVER STEAL".

FORT ACKNOWLEDGED THAT SUCH STATEMENT HAD BEEN REPORTED

23 MAR 16 1976

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REC-37-15200-

TELETYPE

84 APR 26 1976

Get

IN WEST'S NOTES.

BAILEY QUESTIONED FORT REGARDING THE LIST OF BOOKS HE HAD CONSULTED WHICH INCLUDED ALICE IN WONDERLAND. FORT EXPLAINED THAT LEWIS CARROLL, THE AUTHOR OF ALICE IN WONDERLAND, HAD BEEN A MATHEMATICIAN VERY MUCH INTERESTED IN LOGIC AND THAT SOME OF HIS OBSERVATIONS ON LOGIC IN THE BOOK ALICE IN WONDERLAND WERE THOUGHT TO BE APPROPRIATE BY DOCTOR FORT IN EVALUATING SOME OF THE MATERIALS.

BAILEY REFERRED FORT TO HIS TESTIMONY IN THE TRIAL OF LESLIE VAN HOUTEN, ONE OF THE FEMALE MEMBERS OF THE MANSON FAMILY CHARGED WITH HOMICIDE IN LOS ANGELES. FORT ACKNOWLEDGED THAT HE HAD TESTIFIED THAT VAN HOUTEN'S MASSIVE USE OF MESCHALINE AND LSD, HER FORCED SEXUAL DEPRAVITY, AND HER ISOLATION FROM HER FAMILY HAD CHANGED HER ATTITUDE TOWARD THE VALUE OF HUMAN LIFE AND SUCH PROCEDURE ~~PROCEDURE~~ COULD BE REFERRED TO AS BRAINWASHING.

READING FROM THE TRANSCRIPT, BAILEY ASKED FORT IF HE HAD TESTIFIED IN THAT TRIAL THAT INSTANCES EXISTED WHERE SOMEONE HAD PROGRAMMED PEOPLE TO GO OUT AND COMMIT

ARMED ROBBERIES AND ASSAULTS. FORT, TESTIFYING WITHOUT ANY NOTES, RECALLED THE ANSWER THAT HE HAD GIVEN WHEN THAT QUESTION WAS POSED TO HIM DURING THE MANSON TRIAL, THAT THE ARMY HAD USED SUCH PROGRAMMING PROCEDURES WHEN PREPARING SOLDIERS FOR WAR, THESE PROCEDURES INCLUDING, "PEER GROUP PRESSURE". BAILEY THEN INSISTED THAT FORT READ HIS ANSWER FROM THE LOS ANGELES TRANSCRIPT, WHICH ANSWER WAS, AS FORT POINTED OUT AFTER READING IT, SUBSTANTIALLY AS HE HAD TESTIFIED IN THIS CASE.

REGARDING FORT'S STUDY OF 35 KIDNAPPING CASES, BAILEY ASKED IF HE RECALLED THE CASE OF A 14 YEAR OLD GIRL WHO HAD BEEN KIDNAPPED AND HORRIBLY ABUSED AND FORCED BY HER CAPTORS TO COMMIT SEVERAL FELONIES. FORT ACKNOWLEDGED HE RECALLED THE STUDY WHEREIN SUCH A PERSON WAS TAKEN ALONG BY HER CAPTORS IN THE COMMISSION OF TWO OR THREE BURGLARIES. BAILEY PRESSED ON ASKING IF SHE HAD BEEN GIVEN POSSESSION OF A LOADED WEAPON. FORT ACKNOWLEDGED THAT SHE HAD, BUT HAD A CAPTOR NEXT TO HER WHO ALSO HELD A WEAPON. FORT ALSO POINTED OUT THAT THIS GIRL HAD

ATTEMPTED TO ESCAPE ON ONE OCCASION AND HAD ON ONE OCCASION HIDDEN THE GUN OF ONE OF HER CAPTORS.

FORT TESTIFIED THAT HE HAD CONCLUDED THAT THE SLA TAPES MADE BY PATRICIA HEARST "PROBABLY" REPRESENTED HER TRUE FEELINGS. BAILEY ASKED IF FORT WAS AWARE THAT THE GOVERNMENT DID NOT OFFER THOSE TAPES IN THEIR CASE. FORT REPLIED NO, THAT HE WAS NOT AWARE AND HAD NOT BEEN PRESENT IN THE COURTROOM TO OBSERVE THE PRESENTATION OF THE GOVERNMENT'S CASE. (IN FACT, THE TAPES WERE NOT OFFERED BY THE GOVERNMENT IN ITS CASE ONLY BECAUSE DURING THE PROSECUTION CASE THE TAPES WERE OFFERED IN EVIDENCE BY THE DEFENSE.)

BAILEY ASKED FORT WHETHER HE HAD SOUGHT THE ASSISTANCE OF A SPEECH ANALYST TO CONFIRM OR DENY HIS OBSERVATIONS REGARDING THE AUTHORSHIP OF ANY OF THE MATERIALS. FORT INDICATED THAT HE HAD NOT, BUT HAD ASKED STEVEN WEED ABOUT HER CHARACTER PATTERNS OF SPEECH AND LOOKED AT JAIL LOGS, TRIAL DAILY, JAIL VISIT TAPES, SLA COMMUNIQUE, THE TANIA INTERVIEW AND HAD UTILIZED HIS EXPERIENCE REGARDING THE

MIXED OF DIFFERENT GROUPS, INCLUDING DENIZENS OF THE GHETTO, RADICALS AND REVOLUTIONARIES, HIPPIES, CRIMINALS, AND NORMAL PEOPLE. AFTER ACKNOWLEDGING THAT HE HAD NOT CALLED FOR SCHOOL PAPERS WRITTEN BY MISS HEARST, FORT WAS ASKED IF HE DID NOT FEEL IT WAS IMPORTANT TO MATCH THE SPEECH PATTERNS IN SUCH PAPERS WITH THOSE APPEARING IN LATER WRITINGS ALLEGEDLY BY MISS HEARST WHERE HER AUTHORSHIP WAS IN QUESTION. FORT TESTIFIED THAT HE WAS NOT AWARE OF ANY BODY OF SCIENTIFIC EXPERTS WHO CAN CLAIM TO DETERMINE WITH SCIENTIFIC ACCURACY THE AUTHORSHIP OF PAPERS BASED ON STRICT SCIENTIFIC ANALYSIS.

BAILEY QUESTED FORT REGARDING THE SIGNIFICANCE HE ATTACHED TO THE FACT THAT HEARST CHANGED HER NAME TO TANIA. FORT TESTIFIED THAT NAME CHANGE GENERALLY SIGNIFIED; 1) DIS-SATISFACTION WITH PRIOR NAME AND 2) ALLEGIENCE OR ALLIANCE WITH A GROUP, SUCH AS THE NAME CHANGES WHICH OCCUR IN CONVERTS TO BLACK MUSLIMISM OR HARI KRISHNA.

BAILEY THEN QUESTIONED FORT CONCERNING THE FACT THAT HE WAS BORN JOEL "FREEDMAN", AND BAILEY ASKED WHY HE HAD CHANGED HIS NAME. FORT TESTIFIED THAT HIS FATHER, A

FORMER RUSSIAN SERF, HAD A NAME WHICH WAS UNPRONOUNCEABLE BY THE IMMIGRATION OFFICER WHO PROCESSED HIM WHEN HE CAME TO THIS COUNTRY, AND THE IMMIGRATION OFFICER, REGARDING HIM AS A "FREED MAN", HAVING BEEN FREED FROM SERFDOM, GAVE HIM THE NAME FREEDMAN. FORT TESTIFIED THAT HIS FATHER SUBSEQUENTLY CHANGED HIS NAME TO FORT.

FORT TESTIFIED THAT HE HAD TOLD JOHNSON IN JANUARY THAT IF HE HAD FINDINGS FAVORABLE TO THE DEFENSE, HE WOULD MAKE THOSE FINDINGS AVAILABLE TO THEM. THIS CONVERSATION OCCURRED ~~ON JANUARY~~ IN JANUARY, 1976. BAILEY ASKED IF FORT WAS AT THAT TIME COMPLETELY UNBIASED AND FORT TESTIFIED THAT HE WAS, IN FACT, AT THAT TIME SOMEWHAT BIASED IN FAVOR OF THE DEFENSE, OUT OF SYMPATHY FOR THE DEFENDANT AND TOWARD BAILEY, WHOM HE REGARDED AS VERY PERSUASIVE.

BAILEY ATTEMPTED TO DISCREDIT FORT'S ALLEGATIONS THAT HE WOULD HAVE TESTIFIED FOR THE DEFENSE IF HIS FINDINGS WERE FAVORABLE TO THEM BY POINTING OUT THAT BOTH SIDES HAD BEEN LIMITED IN THE NUMBER OF PSYCHIATRISTS THEY COULD USE. FORT POINTED OUT THE LAW ALLOWED THE DEFENDANT TO

SUBPOENA GOVERNMENT EXPERTS AND THAT HE MIGHT HAVE BEEN CALLED TO SUPPLANT ONE OF THE DEFENDANT'S DOCTORS. ON REDIRECT EXAMINATION, FORT TESTIFIED THAT A MAJOR PUBLICATION OF THE PSYCHIATRIC PROFESSION, REFERRING TO A DIAGNOSTIC AND STATISTICAL MANUAL, LISTED NO FIGURES OR STATISTICS REGARDING BRAINWASHING, THOUGHT REFORM OR ^{COERCIVE} ~~COERCIVE~~ PERSUASION.

PREVIOUSLY ON CROSS EXAMINATION, FORT TESTIFIED REGARDING HIS KIDNAP VICTIM STUDIES THAT HE DID NOT KNOW OF A SINGLE INSTANCE IN WHICH THE KIDNAP VICTIM HAD BEEN LATER PROSECUTED. ON REDIRECT, HE TESTIFIED THAT THIS STUDY HE CONDUCTED DID NOT SHOW THAT ANY VICTIMS COMMITTED ANY ANTI-SOCIAL ACTS OR UNDERWENT ANY PHILOSOPHICAL CHANGE. ALL OF THESE VICTIMS, IN CONTRAST WITH HEARST, HAD ESCAPE THOUGHTS AND SOME HAD MADE ESCAPE ATTEMPTS.

FORT TESTIFIED THAT HE HAD GRADUATED FROM HIGH SCHOOL AT THE AGE OF 15 AND HAD RECEIVED A BA AT THE AGE OF 18. HE STUDIED IN GRADUATE SCHOOL TOWARD ATTAINMENT OF A PH.D FOR TWO YEARS UNTIL HE WAS ADMITTED TO MEDICAL SCHOOL AT THE AGE OF 20. HE GRADUATED FROM MEDICAL SCHOOL AT THE

AGE OF 24 AND FINISHED HIS RESIDENCY AT THE AGE OF 28.

BAILEY, ON CROSS EXAMINATION YESTERDAY, MARCH 9, 1976, HAD DISPARAGED A CLAIM IN AN OUTLINE FOR A BOOK THAT DOCTOR FORT HAD WORKED ON THAT FORT'S TESTIMONY HAD AT ONE TIME SAVED LENNY BRUCE FROM PRISON. BROWNING INTRODUCED THE CALIFORNIA SUPREME COURT REPORT OVERTURNING BRUCE'S CONVICTION WHICH RULING WAS BASED EXPLICITLY ON FORT'S TESTIMONY. FORT TESTIFIED THAT HE NEVER READ THE REPORT OR REQUESTED THE OPINION OF ANY OTHER GOVERNMENT CONSULTANT AND HAD NOT MET WITH THEM SOCIALLY OR SAT WITH THEM IN THE COURTROOM IN ORDER TO PRESERVE HIS OBJECTIVITY AND AUTONOMY. SUCH FORBEARANCE WAS IN CONTRAST WITH TESTIMONY PREVIOUSLY ELICITED BY AUSA BANCROFT WHEREIN DEFENSE ATTORNEYS HAD ACKNOWLEDGED THAT THEY HAD CONSULTED TOGETHER EXTENSIVELY, SAT TOGETHER IN THE COURTROOM, DINED TOGETHER, AND STAYED ~~IN THE SAME HOTEL TOGETHER.~~

IN THE SAME HOTEL TOGETHER. FORT TESTIFIED THAT HE WAS TOLD BY MR. BANCROFT THAT HE COULD NOT BE PAID MORE THAN \$50 AN HOUR AND IT MIGHT NOT BE POSSIBLE TO PAY HIM MORE

THAN \$55 AN HOUR. FORT INDICATED THAT FEES GENERALLY CHARGED IN THE PSYCHIATRIC FIELD RANGED FROM \$65 TO \$125 PER 50 MINUTE HOUR. HIS PAYMENT AND CONTINUED EMPLOYMENT WAS NOT CONDITIONED UPON ANY PARTICULAR CONCLUSION THAT HE MIGHT REACH. HE STATED THAT PRIOR TO CONSULTATION, HE HAD MADE SURE THAT THIS WAS SPECIFICALLY UNDERSTOOD BY THE GOVERNMENT.

REGARDING HIS CONVERSATION WITH KATHERINE AND RANDOLPH HEARST WHEREIN HE SUGGESTED THAT THEY MIGHT SEEK SOME MEANS OF RESOLVING THE PROSECUTION WITHOUT A PUBLIC TRIAL, FORT TESTIFIED THAT IN THE APPROXIMATELY ONE AND ONE HALF MONTHS FOLLOWING THAT CONVERSATION, HE HAD RECEIVED NO COMPLAINT OR OBJECTION BY ANY DEFENSE ATTORNEY REGARDING HIS CONDUCT IN SO CONVERSING WITH THE HEARSTS. THE FIRST TIME HE HEARD ANY OBJECTION TO THAT CONVERSATION, WAS WHEN MR. BAILEY "MADE A VIOLENT ATTACK" ON FORT IN THE COURTROOM. FORT REFERRED TO BAILEY'S ACCUSATION THAT FORT HAD "GONE BEHIND MY BACK TO FIX THIS CASE".

FORT TESTIFIED THAT HE HAD NEVER TOLD MR. AND MRS.